PUBLIC POLICY UPDATE
Stephanie Rogus, NMAND Public Policy Coordinator
Fallon Bader, NMAND State Policy Representative
Rachel Leung, NMAND Consumer Protection Coordinator

Public Policy Coordinator Update

- Members of Congress visits with dietitians
- Meeting with Senator Udall’s staff – Agricultural and Health Appropriations
- State legislation passed and our role
- Updates from the Academy

Representative Ben Lujan visits a dietitian’s cooking class

State Legislature Bills Passed

- Senate Memorial 10
-Senate Memorial 3

Academy Updates

- Academy updates on COVID-19
  - Members providing members with valuable resources and information during the pandemic
- CMS gives the green light to MNT via telehealth for Medicare beneficiaries
- COVID-19 legislation signed into law
  - Will help ensure access to food for those affected and provide free testing and paid leave to some workers
- Payment Matters
  - The Academy is launching a free program regarding reimbursement, payment for telehealth, health care reform, and more beginning in April
- Licensure office hours
  - Join the Academy’s office hours every Wednesday between 2-3 pm EST to ask questions
State Policy Representative Updates

- Great day the Capitol for Food & Farms Day on February 6th

NOW is a good time to get involved in policy as a dietitian!

As dietitians we are the nutrition experts, let’s make sure our legislators know who we are!

- But how do we do that??
  - Meet with your legislator!
    - Fallon will be sending a template email that you can use to reach out to your local representatives.
    - You can ask them to get coffee, quick phone call, zoom call, etc.
  - Attend events that your legislator hosts locally.

You can also get more involved with the NMAND public policy panel!

- Open positions for 2020-2021
  - State Policy Representative
  - State Regulatory Specialist
  - Reimbursement Representative
  - Delegate

Questions?

- Feel free to email me with questions
  - Bader.fallon@gmail.com
Licensure Update

- Review of licensure in New Mexico
- Added language to licensure rules and regulations
- Upcoming Sunset
- Licensure board plans
- Incident Reporting Tool

Licensure in New Mexico

- Nutrition and Dietetics Practice Act
  - [www.rld.state.nm.us/boards/Nutrition_and_Dietetics.aspx](http://www.rld.state.nm.us/boards/Nutrition_and_Dietetics.aspx)
- First became law in 1989
- New Mexico Sunset Statute
  - Chapter 12, Article 9
  - “Periodic review”
  - Last sunset was 2015, next is 2021

Licensure in New Mexico

- Dietitian
  - Registered Dietitian Nutritionist
- Nutritionist
  - Master’s or Doctorate OR member of American clinical board of nutrition OR American society for nutrition
  - Pass an entry level practice exam OR already licensed in another state
- Nutrition Associate
  - Completed CDR program and eligible for internship
  - Pass an entry level practice exam OR already licensed in another state

New Rules in NM Licensure

- January 22, 2020 public hearing followed by licensure board meeting
- Two sentences approved and will be added to NM Nutrition and Dietetics Practice Act Rules and Regulations
  - Licensed dietitians may seek privileging through their hospital/institution’s medical staff
  - Allows dietitians to seek order writing privileges (2014 CMS rule)
  - Licensed dietitians may provide nutrition care that is within their scope of practice as outlined by the Academy of Nutrition and Dietetics
  - Allows for dietitians to continue to evolve as scope of practice evolves

NM Practice Act Sunset

61-7A-15. Termination of agency life; delayed repeal. (Repealed effective July 1, 2022.)

The nutrition and dietetics practice board is terminated on July 1, 2021 pursuant to the Sunset Act. The board shall continue to operate according to the provisions of the Nutrition and Dietetics Practice Act until July 1, 2022. Effective July 1, 2022, the Nutrition and Dietetics Practice Act is repealed.

Best guess: Sunset bill will first be heard in the interim legislative finance committee this fall. If passed through this committee, bill will go through the next legislative session starting in January 2021.
NM Practice Act Sunset

- If continuation is recommended, legislative finance committee submits legislation as an amendment to the delayed repeal section
  - Will sunset again

- If continuation is not recommended, agency has 1 year to wrap up operation
  - Completely repealed July 1, 2022

NM Licensure Board Plans

- Look at current requirements to become a licensed nutritionist
  - May include revision of education and professional organization membership requirements

- Board would like to make sure nutritionist license has value in NM

- Hope to bundle these statutory changes with sunset in the upcoming legislative session

INCIDENT REPORTING TOOL (IRT):
A GUIDE FOR MEMBERS

Objectives

- Understand what the IRT is and what it is not
- Learn how to communicate with various stakeholders about the IRT
- Learn how to implement the IRT and make it work for you

What the IRT Is and What It Is Not

- The IRT Is intended to
  - Compensate for gap in collection and sharing of harm and success
  - Apply the information collected to enhance public protection
  - Enhance ethical self-regulation of the profession

- The IRT Is not intended to
  - Replace reporting of valid reports of harm to our state Board
  - Serve as data source for our state Board
  - Protect RDN jobs from competition

Communication Strategies I

- Opposition orgs trying to repeal exclusivity via multiple pathways
- Must defend licensure’s role in public protection
  - Otherwise licensure law and structure may be at risk
- Maintain, enhance relationships with government branches to limit risk
  - Executive branch
    - Governor’s Office
    - Regulatory Agencies
      - New Mexico Boards and Commissions (www.rld.state.nm.us/boards)
  - Legislative Branch
    - Your Specific Representatives
    - Chairs of Relevant Committees
Communication Strategies II

• For the Public and Legislators
  – Public and professionals benefit from knowing risk caused by unqualified, unlicensed providers
  – Awareness of value of RDN-provided services
    ■ Advances the profession
    ■ Enables recognition of effective practice
  – IRT used to report harm/success ensures
    ■ Public receives excellent care
    ■ Service delivery is documented
    ■ High practice standards now and in future

Making the IRT Work for You

• Understand existing regulatory structure
• Understand definition of illegal/incompetent practice
• Encourage peer use of IRT as needed
• Success reports are essential!
• Build effective database

Questions?

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