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STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
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Anne L. Head
Commissioner

TESTIMONY OF ANNE L. HEAD

Commissioner, Department of Professional and Financial Regulation

Neither For Nor Against LD 884

"An Act To Repeal the Board of Licensing of Dietetic Practice"

BEFORE THE JOINT STANDING COMMITTEE ON HEALTH COVERAGE, INSURANCE
AND FINANCIAL SERVICES

Public Hearing: March 21, 2019

Senator Sanborn, Representative Tepler and Members of the Committee, my name is Anne Head and I serve as DPFAR Commissioner and Director of the Office of Professional and Occupational Regulation. The Department does not take a position on LD 884 but I did want to provide information about the Board and its history to date.

The Board of Licensing of Dietetic Practice is a licensing program within the Department's Office of Professional and Occupational Regulation. It was established by the Maine Legislature in 1985. The Board is authorized to issue dietician and dietetic technician licenses to candidates who satisfy minimum licensing requirements including education, work experience and examination. The statute provides that only holders of these licenses may call themselves licensed dietitians and licensed dietetic technicians. The statute also describes the scope of practice of both licenses.

Our licensing records indicate that there are currently 408 licensed dietitians and 61 licensed dietetic technicians holding valid licenses. Since January 1, 2015, the board has handled two complaints—one was dismissed for lack of evidence of a violation and the second was resolved with a consent agreement for failure to comply with the Board's continuing education requirement. The Board meets infrequently due to a lack of agenda items that require board action and because it has been difficult for the board to attain a quorum for board meetings.

It is worth noting that if the bill as drafted were enacted, existing statutory language establishing the board as well as the authority to issue licenses, adopt rules and handle disciplinary issues would be repealed. This would mean that current licensees could not renew their licenses and the profession would be unregulated.

As an alternative, the Committee might wish to consider eliminating only the board structure but keeping the licensing program in place under the direct administration of the Office of

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Professional and Occupational Regulation. The Legislature took this action with respect to the Board of Barbering and Cosmetology under similar circumstances. When a board structure is eliminated, the licensing program continues without interruption under the direction of experienced technical staff in conjunction with legal counsel from the Office of the Attorney General.

We would be happy to provide technical information if requested by the Committee.