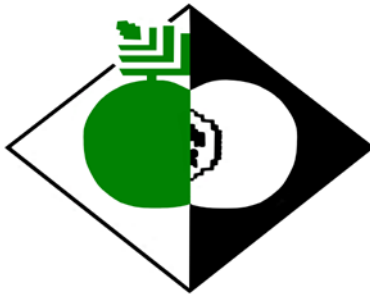


The New Brunswick Association of Dietitians



Regulations

Effective: April 10, 1997

Revised:

**May 6, 1999, May 25, 2002, April 1, 2003
May 12, 2007, May 2, 2009, May 28, 2011**

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Definitions:

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| Act | Act respecting the New Brunswick Association of Dietitians, assented to December 8, 1988, Chapter 75. |
| Association | The New Brunswick Association of Dietitians. |
| Board | The Board of Directors which is the governing body of the Association. |
| Bylaw | The Bylaw made under the Act and the amendments thereto. |
| Dietitian | Means a person registered under this Act to engage in the practice of dietetics and means a professional who specializes in relating the art and science of food and nutrition to health and individual lifestyles for the purpose of enhancing the quality of life. |
| Member | Means a member of the New Brunswick Association of Dietitians. |
| D.C. | Dietitians of Canada and any successor(s) thereto. |
| N.B.A.D. | The New Brunswick Association of Dietitians. |
| Agreement on Internal Trade | Federal, provincial and territorial government agreement came into force July 1, 1995. The Agreement on Internal Trade is an intergovernmental agreement between the Federal Government and the Provinces to reduce and eliminate barriers to the free movement of people, goods, services and investments within Canada. |
| Regulations | The Regulations made under the Act and the amendments thereto. |

REGULATION I – ADMISSION STANDARDS

1. Active Members

1.1 An applicant is eligible for active membership in N.B.A.D. when they meet the educational, experience and examination requirements.

1.1.1 Education

The applicant shall have the following education:

- 1.1.1.1 A bachelor's, masters or doctoral degree from an educational program which is accredited by an accrediting agency approved by the Board. In addition, the applicant shall present academic credits in specified subjects as shall be determined from time to time by the Board, or
- 1.1.1.2 An education background which has been declared by the Board to be equivalent to the educational requirements stated in paragraph 1.1.1.1.

1.1.2 Experience

The applicant shall have the following experience as well as the education cited in subsection 1.1.1 :

- 1.1.2.1 A dietetic practicum accredited by an accrediting agency approved by the Board and attested successful by a person in authority, or
- 1.1.2.2 A bachelors, masters or doctoral degree for which course work, practice and/or research project requires the application of that knowledge and demonstration of skills which meet the competence standards approved by the Board.
- 1.1.2.3 A dietetic practicum which has been declared by the Board to be equivalent to the practicum requirements stated in paragraph 1.1.2.1

1.1.3 Examination

Applicants shall be required to pass an examination approved by the Board.

1.1.4 Fee

The prescribed fee determined by the Board accompanies the application form.

1.1.5 Register

Once approved, the Registrar shall enter the applicant in the Association's register and issue a certificate to the new member.

2. Additional Requirements:

Additional requirements, as determined by N.B.A.D., may be necessary for admission into N.B.A.D. Requirements may include, but are not limited to, course work, examination and practicum.

3. Currency of Qualifications:

All applicants will be assessed to ensure they have met the requirements for academic and practical training in the three (3) years prior to the date of application.

4. Temporary Members

The criteria for Temporary Member status is described in detail in the Association By-Laws, By-Law IV.

5. Admission of Members of Affiliated Associations:

Active Members in Good Standing of Affiliated Associations are eligible for membership in the New Brunswick Association of Dietitians as outlined in the current Agreement on Internal Trade and any other affiliated

REGULATION II – QUALITY ASSURANCE (CONTINUING EDUCATION)

A member of N.B.A.D. is responsible for remaining current in her practice as stated in our profession's Code of Ethics.

Quality Assurance Standards are determined by the Association and outlined in policies and procedures.

The minimum components for the Quality Assurance program are:

- mandatory participation by all active members,
- monitored as determined by the Board,
- consequences will be applied if a member is non-compliant,
- annual reporting is required, and
- activities must be related to dietetic practice and professional standards.

REGULATION III – REGISTRAR

1. The Board shall appoint a Registrar, who shall hold office for two years at such remuneration as the Board may decide.
 - 1.1 The Registrar shall report to the Board.
2. The Registrar shall be a member in good standing of the Association.
3. The Registrar shall register any applicant who is qualified under this Act.
4. When in receipt of a written complaint regarding a member of the Association, signed by the complainant, the Registrar shall first conduct an inquiry or attempt to resolve the complaint.
5. The Registrar shall notify the member against whom the complaint is made and forward a copy of the complaint to the member.
6. If the Registrar is unable to resolve the complaint satisfactorily, or the complaint warrants further investigation, the Registrar shall refer the matter to the Discipline Committee (refer to N.B.A.D. Act 26).

REGULATION IV – BREACHES OF CODE OF ETHICS

1. Standard

- 1.1 Every member shall comply with the “New Brunswick Association of Dietitians Code of Ethics”
- 1.2 The Code of Ethics referred to in subsection 1) shall be distributed to members of the Association and made available to the public upon request.

2. Definitions (from N.B.A.D. Act, pages 2 and 3)

- 2.1. **“Professional Misconduct”** means a digression from established or recognized professional standards or rules of practice of the profession.
- 2.2. **“Incompetence”** means acts or omissions on the part of a member, in her professional duties including the care of a client, that demonstrates a lack of knowledge, skill or judgement or disregard for the welfare of a client or clients of a nature and to an extent as to render her unfit or unsafe to practice dietetics without conditions, limitations or restrictions.
- 2.3. **“Professional Secrecy”** A dietitian must respect the secrecy of all confidential information obtained in the practice of her profession.

A dietitian may be released from professional secrecy only with the written authorization of his client or when so ordered by law.

3. The following acts are derogatory to the dignity of the Profession:

3.1. “Professional Misconduct”

- 3.1.1. Conduct or act relevant to the practice of Dietetics that would reasonably be regarded by members as unprofessional.
- 3.1.2. Appointing, allowing or condoning the appointment of a person as a Dietitian where that person is not a member of the Association
- 3.1.3. Announcing or holding out that the member has special qualifications that are not in fact possessed by the member
- 3.1.4. Participation in any act which may cause conflict between her obligation to the public good and her self-interest.
- 3.1.5. Offering, recommending or claiming to use a secret, miraculous or infallible dietetic treatment that is not research based and may be misleading to the public.

3.2. “Incompetence”

- 3.2.1. Failure to appropriately evaluate a client’s needs in accordance with the accepted standards of practice.
- 3.2.2. Failure to maintain standards of practice of the profession.

3.3. “Professional Secrecy”

3.3.1. The use of confidential information which may be prejudicial to a client and this information would be a direct or indirect benefit for the Dietitian or for another person.

3.3.2. Indiscreet conversations by the Dietitian concerning a client and the services rendered to her.

REGULATION V – CONFLICT OF INTEREST

1. The Dietitian must at all times safeguard her professional independence and refrain from any act or avoid any situation in which she would be in conflict of interest.
2. The Dietitian must subordinate her personal interest to that of her client.
3. A Dietitian is in conflict of interest when the interest in question are detrimental to the client or are in conflict with the clients interest, or where her judgement and loyalty towards the client might be unfavourably affected.
4. As soon as the Dietitian ascertains that she is in a situation of conflict of interest, the Dietitian must notify her client thereof, and ask her for authorization to continue her services.
5. The Dietitian must ignore any intervention by a third party which could influence the performance of her professional duties to the detriment of the client.
6. A Dietitian shall not receive, in addition to the remuneration to which she is entitled, any benefit, discount, or commission relative to the practice of her profession. Nor shall she pay, offer to pay or undertake to pay any benefit, allowance or commission.

REGULATION VI – DISCIPLINE

1. Composition of the Discipline Committee

- 1.1 The Discipline Committee shall be composed of three persons, two of whom shall be members of the Association appointed by the Board and one of whom shall be a lay-person appointed by the Lieutenant Governor in council from a panel of not less than four persons nominated by the N.B.A.D. (Act 27 (1)).
- 1.2 A Chairman shall be elected from amongst the N.B.A.D. members of the Discipline Committee (Act 27 (2)).
- 1.3 The members of the Discipline Committee shall serve for a term of two years (Act 27 (3)).
- 1.4 N.B.A.D. representatives on the Discipline Committee:
 - Must have at least five (5) years of experience in dietetic practice.
 - Are to be members in good standing of the Association and are not Board Members.
 - Are to represent different areas of practice of the Profession.

2. Handling of Complaints

- 2.1 The Registrar receives all written complaints concerning members (Refer to Regulations III - Registrar). The Registrar shall refer a written complaint to the Discipline committee if she is unable to resolve the complaint satisfactorily or if the nature of the complaint warrants investigation by the committee (Act 26 (2)).
- 2.2 Upon a complaint being referred to the Discipline Committee for investigation, the committee shall conduct its investigation and use its best efforts to report its findings within 60 days of receiving the complaint.

2.3 The Board, on its own motion, may refer a matter to the Discipline Committee, notwithstanding that a written complaint has not been filed with the Registrar (Act 26 (4)).

2.4 The Chairperson of the Discipline Committee conducts the inquiry.

3. Decisions of the Committee

3.1 A quorum of two members, one of whom shall be the lay committee member, can effect a decision of the Committee if the decision is unanimous.

3.2 If there is a tie vote with the quorum of two, then a meeting of the full committee must be held at the earliest opportunity, and a majority vote shall become the decision of the committee.

3.3 The guidelines for the recommendations of the Discipline Committee are outlined in the N.B.A.D. Act 27 (1) (a) to (g).

3.4 The Discipline Committee shall report its findings with its recommendations in writing to the Board (Act 26 (3)).

REGULATION VII – REPORTING OF DISCIPLINARY DECISIONS

Following the disciplinary decision of the Board, notice of the discipline of a member shall be published in the royal Gazette of New Brunswick and elsewhere as the Board may direct.

Notice of the discipline of an N.B.A.D. member shall be forwarded in writing to the other Canadian Provincial Regulatory Associations and D.C.

REGULATION VIII – AN ACT RESPECTING HEALTH PROFESSIONALS (BILL 22)

Effective May 1, 1997, N.B.A.D. members will acknowledge and respect the impact of Bill 22 on the Act.

1. N.B.A.D. Regulations Interpretation

A word importing a feminine gender includes the masculine gender and a corporation to which the context may be extended. A word importing a masculine gender includes the feminine gender and a corporation to which the context may be extended.

2. Supplementary to the Regulation: Titles and Designations

Titles for the exclusive use of the members of the New Brunswick Association of Dietitians should include:

Professional Dietitian

Registered Dietitian

Registered Dietitian-Nutritionist

Professional Dietitian (Candidate)

Registered Dietitian (Candidate)

Registered Dietitian-Nutritionist (Candidate)

REGULATION IX – REGISTRATION COMMITTEE

1. The Registration Committee shall maintain and develop Policies and Procedures of the Registration Process for non traditional routes of entry. Policies and Procedures shall be approved by NBAD Board of Directors.
2. The Registration Committee shall be responsible for reviewing applications and submissions referred by the Registrar.
3. After reviews are completed the Registration Committee shall do one of the following:
 - Direct the Registrar to issue a certificate of registration.
 - Direct the Registrar to issue a certificate of registration if the applicant successfully completes examinations set or approved by the committee.
 - Direct the Registrar to issue a certificate of registration if the applicant successfully completes additional training specified by the committee.
 - Direct the Registrar to impose specified terms, conditions and limitations on a certificate of registration of the applicant and specify a limitation on the applicant's right to apply.
 - Direct the Registrar to refuse to issue a certificate of registration.