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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2721 Session of  
2018

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INTRODUCED BY MEHAFFIE, BARRAR, WATSON, CHARLTON, DRISCOLL,  
KAUFER, PICKETT, CARROLL, RAVENSTAHL, HELM, SCHWEYER, FRITZ,  
R. BROWN, PASHINSKI, STURLA, DALEY, MULLERY AND ENGLISH,  
OCTOBER 16, 2018

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,  
OCTOBER 16, 2018

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AN ACT

1 Amending the act of May 22, 1951 (P.L.317, No.69), entitled "An  
2 act relating to the practice of professional nursing;  
3 providing for the licensing of nurses and for the revocation  
4 and suspension of such licenses, subject to appeal, and for  
5 their reinstatement; providing for the renewal of such  
6 licenses; regulating nursing in general; prescribing  
7 penalties and repealing certain laws," further providing for  
8 definitions, for State Board of Nursing, for dietitian-  
9 nutritionist license required, for examinations and  
10 certificates, for fees and qualifications for licensure, for  
11 persons entitled to practice, for licenses and durations and  
12 renewal fee and inactive status, for reporting of multiple  
13 licensure, for setting of fees and disposition of fees, fines  
14 and civil penalties, for continuing nursing education, for  
15 punishment for violations, for refusal, suspension or  
16 revocation of licenses and for injunction or other process.

17 The General Assembly of the Commonwealth of Pennsylvania  
18 hereby enacts as follows:

19 Section 1. Section 2(5), (7), (9) and (10) of the act of May  
20 22, 1951 (P.L.317, No.69), known as The Professional Nursing  
21 Law, are amended and the section is amended by adding paragraphs  
22 to read:

23 Section 2. Definitions.--When used in this act, the

1 following words and phrases shall have the following meanings  
2 unless the context provides otherwise:

3 \* \* \*

4 (5) "Treating" means selection and performance of those  
5 therapeutic measures essential to the effective execution and  
6 management of the nursing or dietetics and nutrition regimen,  
7 and execution of the prescribed medical regimen.

8 \* \* \*

9 (7) The ["Practice of dietetics-nutrition"] "Practice of  
10 dietetics and nutrition" means the integration and application  
11 of principles derived from the sciences of food nutrition,  
12 biochemistry, physiology, management and behavior to provide for  
13 all aspects of nutrition therapy for individuals and groups,  
14 including nutrition therapy services and medical nutrition  
15 therapy, compatible with dietitian-nutritionist education and  
16 professional competence.

17 \* \* \*

18 (9) ["Licensed dietitian-nutritionist"] "Licensed dietitian  
19 nutritionist" means a [dietitian-nutritionist] dietitian  
20 nutritionist who holds a current license under this act and is  
21 qualified to provide dietetics and nutrition services, including  
22 medical nutrition therapy. The term does not include an  
23 individual who engages in the medical differential diagnosis of  
24 the health status of an individual.

25 [(10) "Medical nutrition therapy" means the component of  
26 nutrition therapy that concerns determining and recommending  
27 nutrient needs based on nutritional assessment and medical  
28 problems relative to diets prescribed by a licensed physician,  
29 including:

30 (i) tube feedings;

1 (ii) specialized intravenous solutions;  
2 (iii) specialized oral solutions; and  
3 (iv) interactions of prescription drugs with food or  
4 nutrients.]

5 \* \* \*

6 (16) "Board for Certification of Nutrition Specialists"  
7 means the board that is accredited by the National Commission  
8 for Certifying Agencies to certify nutrition specialists and  
9 nutrition specialist-scholar credentials.

10 (17) "Commission on Dietetic Registration" means the  
11 commission accredited by the National Commission for Certifying  
12 Agencies to be the credentialing agency for the Academy of  
13 Nutrition and Dietetics.

14 (18) "Dietetics" means the integration, application and  
15 communication of practice principles derived from food,  
16 nutrition, social, business and basic sciences to achieve and  
17 maintain the optimal nutrition status of an individual.

18 (19) "Dietitian" or "dietitian nutritionist" means an  
19 individual licensed under this act who may be referred to as a  
20 nutritionist, a dietitian nutritionist or a dietician.

21 (20) "Family or household members" means a parent, child,  
22 spouse, former spouse, an individual related by consanguinity or  
23 affinity, a current or former sexual or intimate partner or an  
24 individual who shares biological parenthood.

25 (21) "General nonmedical nutrition information" means  
26 information on any of the following:

27 (i) Principles of good nutrition and food preparation.

28 (ii) Food that should be included in the normal daily diet.

29 (iii) The essential nutrients needed by the human body.

30 (iv) The recommended amounts of the essential nutrients.

- 1 (v) The actions of nutrients in the human body.  
2 (vi) The effects of deficiencies or excesses of nutrients.  
3 (vii) Food and supplements that are good sources of  
4 essential nutrients.

5 (22) "Medical nutrition therapy" means the use of the  
6 nutrition care process and specific nutrition services for the  
7 purpose of disease management and to treat or rehabilitate an  
8 illness, injury or condition. The term includes the use of the  
9 all of the following services:

10 (i) Interpreting anthropometric, biochemical, clinical and  
11 dietary data in acute and chronic disease states and  
12 recommending or ordering nutrient needs based on the data,  
13 including, but not limited to, tube feedings and parenteral  
14 nutrition.

15 (ii) Food and nutrient counseling regarding prescription  
16 drug interactions.

17 (iii) Developing and managing food service operations with  
18 the primary functions of nutrition care and ordering therapeutic  
19 diets.

20 (23) "Nutrition" means the science of food and nutrients,  
21 including the action, interaction and balance of food and  
22 nutrients in relation to health and disease and the process by  
23 which humans ingest, absorb, transport, utilize and excrete food  
24 substances.

25 (24) "Nutrition assessment" means all of the following:

26 (i) The evaluation of an individual for nutritional status  
27 through a systematic process of obtaining, verifying and  
28 interpreting biochemical, anthropometric, physical and dietary  
29 data to make decisions about the nature and cause of nutrition-  
30 related problems.

1 (ii) The reassessment and analysis of dietary data to  
2 determine the foundation for nutrition diagnosis and nutritional  
3 recommendations, including enteral and parenteral nutrition.

4 (25) "Nutrition care" means the services that a patient  
5 receives during the nutrition care process.

6 (26) "Nutrition care process" means the systematic methods  
7 which a licensed dietitian nutritionist uses to make decisions  
8 when providing medical nutrition therapy or addressing  
9 nutrition-related problems, including nutrition assessment,  
10 nutrition diagnosis, nutrition intervention and nutrition  
11 monitoring and evaluation.

12 (27) "Nutrition diagnosis" means identifying and labeling  
13 nutritional problems managed and treated by a licensed dietitian  
14 nutritionist.

15 (28) "Nutrition intervention" means purposefully planned  
16 actions and counseling intended to positively change a  
17 nutrition-related behavior, risk factor, environmental condition  
18 or aspect of the health status for an individual.

19 (29) "Nutrition monitoring and evaluation" means identifying  
20 patient outcomes relevant to the nutrition diagnosis and  
21 comparing the outcomes with the patient's previous health  
22 status, intervention goals or reference standards to determine  
23 the progress made in achieving desired outcomes of nutrition  
24 care and whether planned interventions should be continued or  
25 revised.

26 (30) "Nutritionist" means a licensed dietitian nutritionist,  
27 dietitian or dietitian nutritionist.

28 (31) "Registered dietitian" or "registered dietitian  
29 nutritionist" means a dietitian nutritionist registered with the  
30 Commission on Dietetic Registration.

1     (32) "Therapeutic diet" A diet intervention prescribed by  
2 an authorized licensed practitioner that provides food or  
3 nutrients via oral, enteral or parenteral routes as part of a  
4 treatment for a disease or clinical condition to modify,  
5 eliminate, decrease or increase identified micronutrients and  
6 macronutrients in the diet.

7     Section 2. Section 2.1(a) of the act is amended to read:

8     Section 2.1. State Board of Nursing.--(a) The State Board  
9 of Nursing shall consist of the Commissioner of Professional and  
10 Occupational Affairs, three members appointed by the Governor,  
11 with the advice and consent of a majority of the members elected  
12 to the Senate, who shall be persons representing the public at  
13 large, and nine members appointed by the Governor, with the  
14 advice and consent of a majority of the members elected to the  
15 Senate, six of whom shall be registered nurses, graduated from  
16 schools of nursing where practical and theoretical instruction  
17 is given, at least three of whom shall possess Masters' degrees  
18 in nursing, two of whom shall be licensed practical nurses and  
19 one of whom shall be a licensed [dietitian-nutritionist]  
20 dietitian nutritionist, and all of whom shall have been engaged  
21 in nursing or the practice of [dietetics-nutrition] dietetics  
22 and nutrition in this Commonwealth for the five-year period  
23 immediately preceding appointment. The [dietitian-nutritionist]  
24 dietitian nutritionist member of the board initially appointed  
25 need not be licensed by the licensure examination adopted by the  
26 board but, at the time of appointment, must have satisfied the  
27 education and experience requirements of this act for licensure  
28 as a [dietitian-nutritionist] dietitian nutritionist. In making  
29 appointments to the Board, the Governor shall give due  
30 consideration to providing representation from diversified

1 fields of nursing or [dietetics-nutrition] dietetics and  
2 nutrition, including, but not limited to, specialized nurses or  
3 [dietitian-nutritionists] dietitian nutritionists of all types.  
4 The persons representing the public at large may not have a  
5 financial interest in the provision of goods and services for  
6 [dietitian-nutritionists] dietitian nutritionists and may not be  
7 a [dietitian-nutritionist] dietitian nutritionist or have a  
8 household member who is a [dietitian-nutritionist] dietitian  
9 nutritionist.

10 \* \* \*

11 Section 3. Section 3.1 heading and (a) of the act are  
12 amended and the section is amended by adding subsections to  
13 read:

14 Section 3.1. [Dietitian-Nutritionist] Dietitian Nutritionist  
15 License Required.--(a) [It shall be unlawful for any individual  
16 to hold himself or herself forth as a licensed dietitian-  
17 nutritionist unless he or she shall first have obtained a  
18 license pursuant to this act. Only individuals who have received  
19 licenses as licensed dietitian-nutritionists pursuant to this  
20 act may use the letters "L.D.N." in connection with their  
21 names.] It shall be unlawful for an individual who is not  
22 licensed under this act to engage in any of the following  
23 actions:

24 (1) Practice dietetics and nutrition or provide medical  
25 nutrition therapy or other nutrition care.

26 (2) Use the title or an abbreviation of the title of  
27 "dietitian," "dietician," "dietitian nutritionist,"  
28 "nutritionist," "licensed dietitian nutritionist" or "LDN".

29 (3) Hold oneself out as a dietitian, dietician, dietitian  
30 nutritionist or nutritionist.

1 (4) Imply that the individual is authorized to provide  
2 medical nutrition therapy.

3 \* \* \*

4 (c) A licensed dietitian nutritionist may engage in any of  
5 the following practices:

6 (1) Medical nutrition therapy.

7 (2) The nutrition care process, including nutrition  
8 assessment, nutrition diagnosis, nutrition or diet intervention  
9 and nutrition monitoring and evaluation.

10 (3) Dietetics and nutrition.

11 (4) Nutrition and diet counseling.

12 (5) Therapeutic diet initiation and counseling.

13 (6) Diet orders and counseling authorized by the Centers for  
14 Medicare and Medicaid Services of the United States Department  
15 of Health and Human Services.

16 (7) Telehealth services in accordance with the laws of this  
17 Commonwealth.

18 (d) Subsection (a)(1) shall not apply to the following  
19 individuals:

20 (1) A licensed health care professional who is acting within  
21 the scope of the individual's licensed profession.

22 (2) A student working under the direct supervision of a  
23 licensed dietitian nutritionist to satisfy the requirements for  
24 licensure as a dietitian nutritionist under this act.

25 (3) An individual who has completed the educational and  
26 pre-professional experiential requirements as specified by the  
27 Commission on Dietetic Registration or Board for Certification  
28 of Nutrition Specialists and has not received notice of passing  
29 the examinations required to apply for licensure as a dietitian  
30 nutritionist under this act. An individual who meets the

1 criteria under this paragraph may practice under the supervision  
2 of a licensed dietitian nutritionist for no more than one year.

3 (4) A dietitian nutritionist or nutritionist serving in the  
4 United States Armed Forces, United States Public Health Service  
5 or United States Department of Veterans Affairs when performing  
6 duties associated with the service.

7 (5) An employee of the Commonwealth, a local political  
8 subdivision or a local school administrative unit or an  
9 individual who contracts with the Commonwealth, a local  
10 political subdivision or a local school administrative unit who  
11 is engaged in the practice of dietetics or nutrition within the  
12 scope of the employment or contract.

13 (6) A retailer who furnishes general nonmedical nutrition  
14 information to customers on food, food materials, dietary  
15 supplements and other goods sold at his or her retail  
16 establishment with the marketing and distribution of those goods  
17 at his or her retail establishment.

18 (7) An individual who provides weight control services if  
19 the services, including changes to services, are being reviewed  
20 and approved by any of the following:

21 (i) A licensed dietitian nutritionist under this act or  
22 other licensed independent practitioner.

23 (ii) A dietitian nutritionist licensed or certified in  
24 another state that has licensure or certification requirements  
25 which are equivalent to the requirements under this act.

26 (iii) A dietitian nutritionist registered by the Commission  
27 on Dietetic Registration or certified by the Board for  
28 Certification of Nutrition Specialist.

29 (8) An individual who provides nutrition care without  
30 remuneration to family or household members.

1 Section 4. Section 5(b), (c) and (e) of the act are amended  
2 to read:

3 Section 5. Examinations and Certificates.--\* \* \*

4 (b) The Board may admit to examination any person who has  
5 satisfactorily completed an approved nursing education program  
6 for the preparation of registered professional nurses or an  
7 approved [dietetics-nutrition] dietetics and nutrition  
8 education program in Pennsylvania or such a program in any other  
9 state, territory or possession of the United States, considered  
10 by the Board to be equivalent to that required in this  
11 Commonwealth at the time such program was completed, and who  
12 meets the requirements of character and preliminary education.

13 (c) The Board may admit to examination any person who has  
14 satisfactorily completed a nursing education program for the  
15 preparation of registered professional nurses or an approved  
16 [dietetics-nutrition] dietetics and nutrition education program  
17 in a country or territory not mentioned above who has been  
18 licensed, registered, or duly recognized there as a professional  
19 nurse, dietitian-nutritionist, dietitian or nutritionist  
20 provided such a program is considered by the Board to be equal  
21 to that required in this Commonwealth at the time such program  
22 was completed and who meets the requirements of character and  
23 preliminary education.

24 \* \* \*

25 (e) A person who meets the requirements of section 6 and  
26 who, in addition, has been engaged in the practice of  
27 [dietetics-nutrition] dietetics and nutrition for a period of  
28 five (5) years during the seven (7) years immediately preceding  
29 the effective date of this subsection or a person who provides  
30 evidence of current registration as a registered [dietitian-

1 ~~nutritionist~~] dietitian nutritionist by the Commission [of  
2 Dietetic Registration of the American Dietetic Association] on  
3 Dietetic Registration shall be considered to meet the  
4 requirements of this act. This person shall be licensed without  
5 the necessity of taking the examination if an application is  
6 made to the Board within one (1) year of the effective date of  
7 this subsection and the appropriate fee is paid.

8 Section 5. Section 6(b) of the act is amended and the  
9 section is amended by adding a subsection to read:

10 Section 6. Fees; Qualifications for Licensure.--\* \* \*

11 (b) [An] Except as specified under subsection (b.1), an  
12 applicant applying for licensure as a [dietitian-nutritionist]  
13 dietitian nutritionist shall submit a written application on  
14 forms provided by the Board evidencing and insuring to the  
15 satisfaction of the Board that the applicant:

16 (1) Is of good moral character.

17 (2) Has received a baccalaureate or higher degree from a  
18 Board-approved, regionally accredited college or university,  
19 including a major course of study in human nutrition, food and  
20 nutrition, dietetics or food systems management.

21 (3) Has completed a planned continuous [preprofessional]  
22 pre-professional experience component in dietetic practice of  
23 not less than nine hundred (900) hours under the supervision of  
24 a [registered dietitian, a dietitian-nutritionist] dietitian  
25 nutritionist licensed under this act or an individual with a  
26 doctoral degree conferred by a regionally accredited college or  
27 university in the United States with a major course of study in  
28 human nutrition, food and nutrition, nutrition education,  
29 dietetics or food systems management as approved by the Board.

30 (4) Has satisfactorily completed [an examination] a

1 registration examination for dietitians prescribed by the  
2 Commission on Dietetic Registration or the certification  
3 examination for nutrition specialists prescribed by the Board  
4 for Certification of Nutrition Specialist as approved by the  
5 Board. [The Board shall contract with a professional testing  
6 organization for the examination of qualified applicants for  
7 licensure.] All written, oral and practical examinations shall  
8 be prepared and administered by a qualified and approved  
9 professional testing organization in the manner prescribed for  
10 written examinations by section 812.1 of the act of April 9,  
11 1929 (P.L.177, No.175), known as "The Administrative Code of  
12 1929."

13 (b.1) An applicant of good moral character shall not be  
14 required to satisfy the requirements under subsection (b) if the  
15 applicant is a registered dietitian nutritionist or registered  
16 dietitian with the Commission on Dietetic Registration and  
17 authorized to use the letters "RDN" or "RD" to indicate that the  
18 applicant is a registered dietitian nutritionist or registered  
19 dietitian.

20 Section 6. Sections 8(b), 11(c) and 11.1 of the act are  
21 amended to read:

22 Section 8. Persons Entitled to Practice.--\* \* \*

23 (b) The Board shall issue to each person who meets the  
24 [dietitian-nutritionist] dietitian nutritionist licensure  
25 requirements of this act a certificate setting forth that such  
26 person is licensed as a [dietitian-nutritionist] dietitian  
27 nutritionist and entitled to use the title ["licensed dietitian-  
28 nutritionist"] "licensed dietitian nutritionist" and the letters  
29 ["L.D.N."] LDN and authorized to practice dietetics and  
30 nutrition and medical nutrition therapy. A record of all persons

1 licensed as [dietitian-nutritionists] dietitian nutritionists in  
2 this Commonwealth shall be kept in the office of the Board and  
3 shall be open to public inspection and copying upon payment of a  
4 nominal fee for copying the record.

5 Section 11. Licenses; Duration; Renewal Fee; Inactive  
6 Status.--\* \* \*

7 (c) A [dietetics-nutrition] dietitian nutritionist license  
8 issued under this act shall not be renewed unless the licensee  
9 applying for renewal submits proof to the Board that during the  
10 two (2) calendar years immediately preceding the application for  
11 renewal the licensee has satisfactorily completed a minimum of  
12 thirty (30) hours of continuing [dietetic-nutrition] dietetic  
13 and nutrition education approved by the Board by regulation.

14 Section 11.1. Reporting of Multiple Licensure.--Any licensed  
15 professional nurse or [dietitian-nutritionist] dietitian  
16 nutritionist of this Commonwealth who is also licensed to  
17 practice nursing or [dietetics-nutrition] dietetics and  
18 nutrition in any other state, territory, possession or country  
19 shall report this information to the Board on the biennial  
20 registration application. Any disciplinary action taken in other  
21 states shall be reported to the Board on the biennial  
22 registration application or within ninety (90) days of final  
23 disposition, whichever is sooner. Multiple licensure shall be  
24 noted by the Board on the licensee's record, and such state,  
25 territory, possession or country shall be notified by the Board  
26 of any disciplinary actions taken against said licensee in this  
27 Commonwealth.

28 Section 7. Section 11.2 of the act is amended by adding a  
29 subsection to read:

30 Section 11.2. Setting of Fees and Disposition of Fees, Fines

1 and Civil Penalties.--\* \* \*

2 (e) A member of the United States Armed Forces or the  
3 member's spouse who is licensed as a dietitian nutritionist in  
4 another state that has licensing requirements equivalent to the  
5 requirements under this act may be licensed as a dietitian  
6 nutritionist in this Commonwealth by providing a proof of  
7 licensure in the other state as determined by regulations  
8 promulgated by the board. An individual who qualifies for  
9 licensure in this Commonwealth under this subsection shall be  
10 exempt from paying the initial licensure application fee. An  
11 individual residing in a state that does not have license  
12 requirements for a dietitian nutritionist shall apply for  
13 licensure in this Commonwealth as specified by this act and  
14 shall be exempt from paying the initial licensure application  
15 fee.

16 Section 8. Sections 12.1(g) (1), 13(b), 14(a) (1), (2.1), (4),  
17 (b) introductory paragraph and (6) and 15.4 of the act are  
18 amended to read:

19 Section 12.1. Continuing Nursing Education.--\* \* \*

20 (g) In lieu of meeting the requirements of this section:

21 (1) Certified registered nurse practitioners and  
22 [dietetics-nutrition] dietitian nutritionist licensees shall  
23 fulfill the requirements for continuing education in  
24 accordance with sections 8.1 and 11, respectively.

25 \* \* \*

26 Section 13. Punishment for Violations.--\* \* \*

27 (b) In addition to any other civil remedy or criminal  
28 penalty provided for in this act, the Board, by a vote of the  
29 majority of the maximum number of the authorized membership of  
30 the Board as provided by law or by a vote of the majority of the

1 duly qualified and confirmed membership or a minimum of five (5)  
2 members, whichever is greater, may levy a civil penalty of up to  
3 one thousand dollars (\$1,000) on any current licensee who  
4 violates any provision of this act or on any person who  
5 practices nursing or holds himself or herself forth as a  
6 licensed [dietitian-nutritionist] dietitian nutritionist,  
7 dietitian, nutritionist or other individual qualified to  
8 practice dietetics or medical nutrition therapy without being  
9 properly licensed to do so under this act or on the responsible  
10 officers or employes of any corporation, copartnership,  
11 institution or association violating any of the provisions of  
12 this act. The Board shall levy this penalty only after affording  
13 the accused party the opportunity for a hearing, as provided in  
14 Title 2 of the Pennsylvania Consolidated Statutes (relating to  
15 administrative law and procedure).

16 Section 14. Refusal, Suspension or Revocation of Licenses.--

17 (a) The Board may refuse, suspend or revoke any license in any  
18 case where the Board shall find that--

19 (1) The licensee is on repeated occasions negligent or  
20 incompetent in the practice of professional nursing or  
21 [dietetics-nutrition] dietetics and nutrition.

22 \* \* \*

23 (2.1) The licensee is unable to practice [dietetics-  
24 nutrition] dietetics and nutrition with reasonable skill and  
25 safety to individuals or groups by reason of mental or physical  
26 illness or condition or physiological or psychological  
27 dependence upon alcohol, hallucinogenic or narcotic drugs or  
28 other drugs which tend to impair judgment or coordination so  
29 long as such dependence shall continue. In enforcing this clause  
30 (2.1), the Board shall upon probable cause have authority to

1 compel a licensee to submit to a mental or physical examination  
2 as designated by it. After notice, hearing, adjudication and  
3 appeal as provided for in section 15, failure of a licensee to  
4 submit to such examination when directed shall constitute an  
5 admission of the allegations against him or her unless failure  
6 is due to circumstances beyond his or her control, consequent  
7 upon which a default and final order may be entered without the  
8 taking of testimony or presentation of evidence. A licensee  
9 affected under this paragraph shall at reasonable intervals be  
10 afforded an opportunity to demonstrate that he or she can resume  
11 a competent practice of [dietetics-nutrition] dietetics and  
12 nutrition with reasonable skill and safety to individuals or  
13 groups.

14 \* \* \*

15 (4) The licensee has committed fraud or deceit in:

16 (i) the practice of nursing, or in securing his or her  
17 admission to such practice or nursing school; or

18 (ii) the practice of [dietetics-nutrition] dietetics and  
19 nutrition or in securing his or her license as a [dietitian-  
20 nutritionist] dietitian nutritionist.

21 \* \* \*

22 (b) When the Board finds that the license of any nurse or  
23 [dietitian-nutritionist] dietitian nutritionist may be refused,  
24 revoked or suspended under the terms of subsection (a), the  
25 Board may:

26 \* \* \*

27 (6) Restore or reissue, in its discretion, a suspended  
28 license to practice professional or practical nursing or  
29 [dietetics-nutrition] dietetics and nutrition and impose any  
30 disciplinary or corrective measure which it might originally

1 have imposed.

2 Section 15.4. Injunction or Other Process.--It shall be  
3 unlawful for any person to practice or attempt to offer to  
4 practice nursing or practice or attempt to offer to practice  
5 dietetics and nutrition or hold himself or herself forth as a  
6 licensed [dietitian-nutritionist] dietitian nutritionist, as  
7 defined in this act, without having at the time of so doing a  
8 valid, unexpired, unrevoked and unsuspended license issued under  
9 this act. The unlawful practice of nursing as defined in this  
10 act may be enjoined by the courts on petition of the Board or  
11 the Commissioner of Professional and Occupational Affairs. In  
12 any such proceeding, it shall not be necessary to show that any  
13 person is individually injured by the actions complained of. If  
14 it is determined that the respondent has engaged in the unlawful  
15 practice of nursing or the unlawful practice of dietetics and  
16 nutrition, the court shall enjoin him or her from so practicing  
17 unless and until he or she has been duly licensed. Procedure in  
18 such cases shall be the same as in any other injunction suit.  
19 The remedy by injunction hereby given is in addition to any  
20 other civil or criminal prosecution and punishment.

21 Section 9. This act shall take effect in 60 days.