

Academy of Nutrition
and Dietetics

Making the Protection Connection Incident Reporting Tool



Protecting Consumers. Improving Health.

February 2, 2022

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Speaker



WSAND
 WASHINGTON STATE
 ACADEMY OF NUTRITION AND DIETETICS
 THE FOOD AND NUTRITION EXPERTS
 Academy of Nutrition and Dietetics

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 Consumer Protection Coordinator

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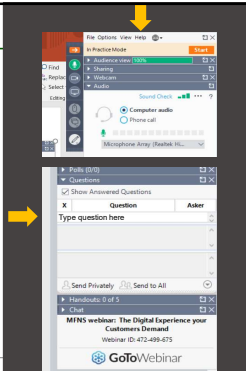
HOUSEKEEPING

During this session, all attendees will be muted

If, at any time you have technical issues, please access the help screens at the top of your attendee control panel

If you have questions, please type them into the question box in your control panel and they will be addressed at the end of the session, time permitting.

We are recording this session and will post the video on the website.




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Washington State's Policy Activities

Policy Bingo!

February 9th Webinar




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Today's Objectives

01

Describe the connection between the IRT, protecting the public, and advancement of strong licensure laws

02

Delineate best practices for completing IRT reports

03

Identify CPCs' role in helping members use IRT effectively


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Poll Question!

Let us know your area(s) of practice



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Licensure's Single Purpose

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- Protect public's health, safety, welfare
- Three Common Methods:
 - Regulating entry into the profession
 - Regulating practice of the profession
 - Helping to identify qualified providers
- Licensure implies risk of harm, by definition
- Documenting harm requires evidence

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Poll Question!

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How much do you know about RDN licensure in Washington State?



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Licensing Structure in WA State

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- Washington State requires a certification to use certain titles
 - "Certified Dietitian," "Certified Dietician," "Certified Nutritionist", "Dietitian", "D.", "C.D.", "C.N."
- Certification may facilitate employment, reimbursement
- But license not required to practice dietetics or provide MNT

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Licensure and the Incident Reporting Tool

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- IRT's purpose: build evidence base (harm & success)
- Harm reporting to title protection states low
 - Public unaware of restrictions in use of title, option to report
- RDNs reluctant to report title violations to state due to
 - Belief that any report will be of minimal impact
 - Concerns re: excessive time, documentation obligations
 - Unfamiliarity with process, means to report

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Our Obligations Under the Code of Ethics

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Goal and Nature of Practice

"The primary goal is the protection of the individuals, groups, organizations, communities or populations with whom the practitioner works or interacts."

The nutrition and dietetics practitioner supports ... high standards of professional practice, accepting the obligation to protect clients, the public and the profession ... and shall report perceived violations of the Code through established processes."

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Licensure Can Protect Public Health and Safety

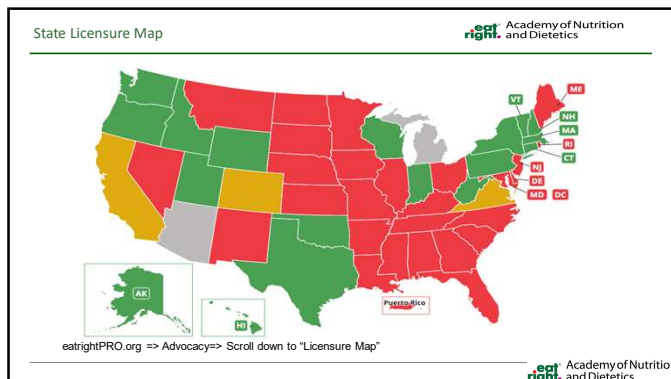
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Increases quality of services through mandatory entry requirements / qualifications to practice

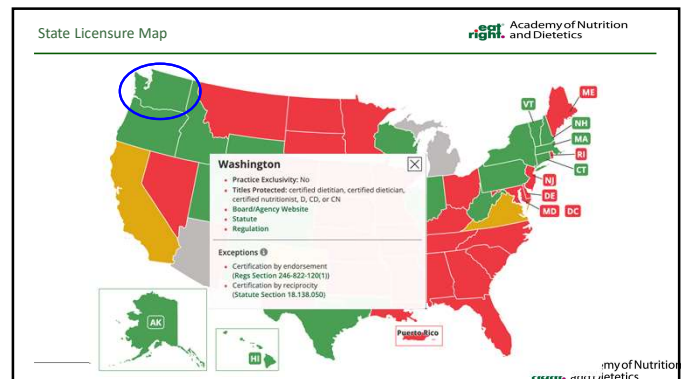
Critical when "low-quality practitioners can potentially inflict serious harm"

Corrects market failures, such as information asymmetry when consumers cannot easily assess professionals' skills

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Title Protection Provisions in WA State

WASHINGTON STATE LEGISLATURE

Legislature Home

RCWs > Title 18 > Chapter 18.138

Complete Chapter | RCW Dispositions

Chapter 18.138 RCW

DIETITIANS AND NUTRITIONISTS

Sections

18.138.010	Definitions.
18.138.020	Certification required.
18.138.030	Qualifications for certification.
18.138.040	Certification—Application procedures, requirements, fees.
18.138.050	Certification without examination.
18.138.060	Renewal of certification—Fee.
18.138.070	Authority of secretary.
18.138.090	Application of uniform disciplinary act.
18.138.100	Insurance coverage.
18.138.110	Health food stores exempted.

RCW 18.138.020

Certification required.

(1) No persons shall represent themselves as certified dietitians or certified nutritionists unless certified as provided for in this chapter.

(2) Persons represent themselves as certified dietitians or certified nutritionists when any title or any description of services is used which incorporates one or more of the following terms or designations: "Certified dietitian," "certified dietician," "certified nutritionist," "D," "C.D.," or "C.N."

(3) The secretary may by rule proscribe or regulate advertising and other forms of patient solicitation which are likely to mislead or deceive the public as to whether someone is certified under this chapter.

(1991 c 3 § 279; 1988 c 277 § 2.)

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Incident Reporting Tool

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Poll Question!

Moving forward, do you think you might use the Incident Reporting Tool?

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Incident Reporting Tool

Home > Advocacy > Licensure > Incident Reporting Tool

Incident Reporting Tool

An Ongoing Battle of Science and Reporting Reform

The Academy developed the Incident Reporting Tool to support its efforts to protect the public, enhance the quality of nutrition care and promote self-regulation of the profession. The IRT fills a critical gap in supplementing the documentation of noteworthy incidents in the provision of nutrition care services across the country. Patients, members of the general public and health care practitioners can now easily document examples of successful nutrition care, showing the value of qualified professionals. In addition, incidents of harm or unethical practice can be submitted using the IRT.

The Academy's Code of Ethics requires reporting cases of harm, and this tool provides a uniform and easy mechanism to do so and encourages reports to state licensure boards. The information collected from the Incident Reporting Tool will be used to facilitate collaboration and gain mutual understanding of the value of qualified RDs' care, including extended lectures, feature and case agency efforts, other health care providers and the public. The IRT directly contributes to the Academy's strategic plan, mission and policy goals, including to "leverage data to demonstrate effectiveness of dietetics and nutrition interventions."

NOTE: Using this Incident Reporting Tool does not replace the need to report incidents of harm to your state's Dietetics and Nutrition Board or other government oversight agency (e.g., Department of Health, Department of Professional Regulation, Board of Medicine, Office of the Attorney General, etc.). To file a complaint with your state, please do so in accordance with the procedure of the applicable state board or government oversight agency.

Are you reporting: *

☐ An incident of actual or potential harm or violation of state licensure laws

☐ A success story showing the value of effective dietetics practice

Click [here](#) for information about the use and storage of incident reports.

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Incident Reporting Tool

Please note where the incident occurred (but do not submit protected health information enabling identification of a patient or client), or where the advertising was observed (e.g., a state-licensed facility, a private office, a private home, etc.) and provide relevant names and addresses of each venue known.

If you are reporting advertising or marketing of such services, please provide details, including date observed and type of medium (e.g. website, health-related event, print ad, brochure, etc.).


If the source is a specific event, provide details of the event's name, sponsors, location, etc.

If the source is a brochure, provide details where/how you found it (e.g., office of the referenced provider, another provider's office, in third-party location, etc.).

Please note relevant website addresses.


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What the IRT *Is* and What It *Is Not*



The IRT **is** intended to:

- Provide a mechanism to report unsafe practice when state license structure does not offer such
- Enable application of information to enhance public protection
- Serve as a tool for enhancing self-regulation of the profession



The IRT **is not** intended to:

- Replace our obligation to report violations of title protection provisions to our state board
- Serve as data source for state dietetics boards or agencies
- Protect jobs from competition

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Elements of Harm Justifying Licensure

Licensure Laws With Exclusivity Are Intended to Prevent Harm That Is:

Specific

- Documented, verifiable, identifiable, cognizable

Significant

- Considerable, noteworthy or important

Non-speculative

- Not remote; foreseeable; damages are speculative when it cannot be well-determined that a particular event or action has caused harm

Harm

- Typically includes both physical and financial harm

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What Types of Reports Are Most Effective?

1) Practice resulting in *actual* harm

2) Authorized or unauthorized practice creating *realistic potential* for harm

3) Unauthorized use of protected titles

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Communication Strategies I



Understand the ins and outs of your licensure law



Understand impact of your law's provisions on actionability of various IRT report types



Even if practice allowed without license, IRT reports about practice still important

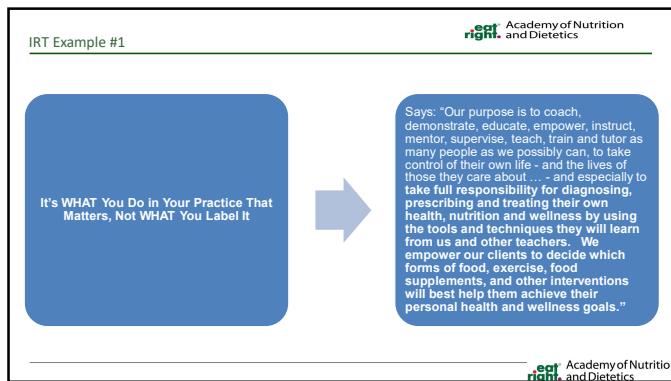
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Incident Reporting Tool

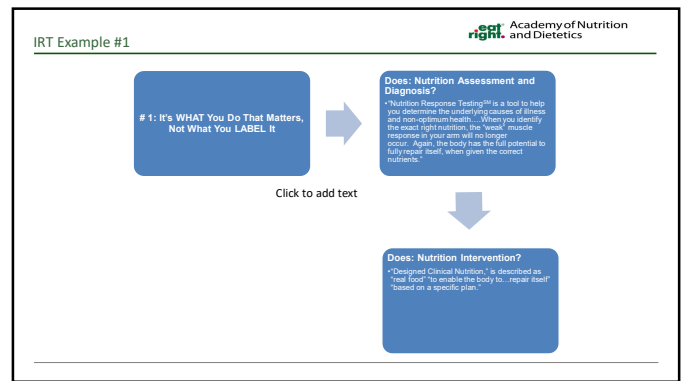


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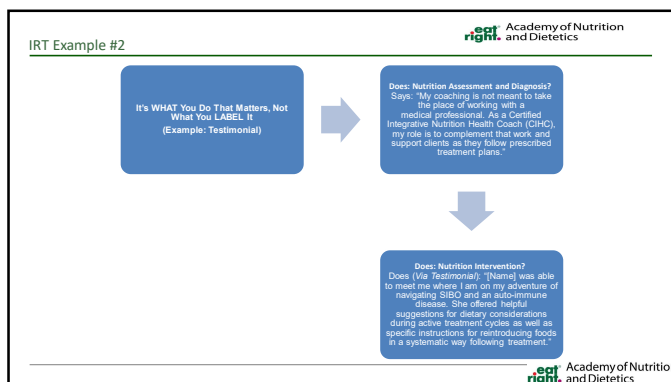
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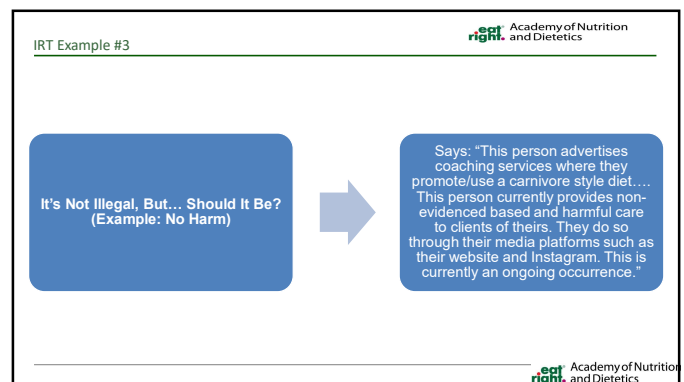
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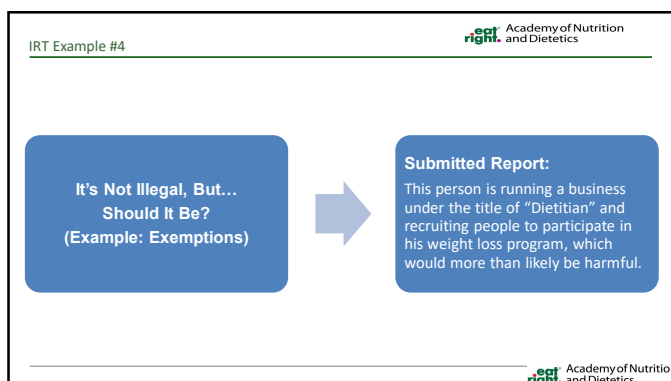
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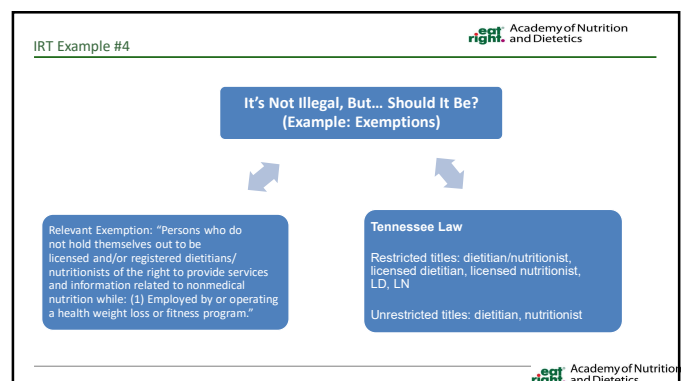
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IRT Example #5

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Education, Not Condemnation

➔

Business website advertised MNT, other individualized nutrition counseling by the business owner, who had been certified by the American College of Sports Medicine

- Contacted the owner, shared Montana's law
- Contacted ACSM, connected them with individual
- Website removed references to nutrition counseling

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Key Takeaways – Using the IRT

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01
Know the goal – Consumer Protection

02
Identify yourself & contact info

03
Identify person/company you are contacting
→ Title, location, email, phone, website

04
Document details – who, what, where, when, why
→ the specific allegations, interventions, direct links to web addresses

05
Know your licensure law – provision
→ Scope of practice
→ Complaints

06
Use Academy resources, request help, learn from others

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IRT Example: Wisconsin Patient Praises Providers

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Referral to UW Health team of a physician and dietitian

“This referral has truly changed my life.”

Concerned about long-term Rx, previously suggested Ketogenic Therapy

RDN provided nutrition therapy; 20 months without incident

“Their “attentive advice and consultation on these matters is invaluable”

“This kind of care is absolutely **one of a kind.**”

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WA Licensing Authority

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In addition to the IRT, report valid issues of concern to

- WA State Department of Health
- <https://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/DietitianandNutritionist>
- Complaint form under “File a Complaint”

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Communication Strategies for Public and Legislators

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




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Summary: Making the IRT Work for the Profession

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




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Poll Question!

Now that you know about the value of the IRT, what is the chance that you might use it in the future?



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Questions?

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Washington State's Policy Reminders

Policy Bingo!

Activities Bingo
February 1 - 18, 2022

Prices & Activities	Join Us	Engage & Write
Impact	Policy Bingo	Learn
Activate	Network	Make a Difference

February 9th Webinar



WEBINAR
FEBRUARY 9, 2022
@ 12 - 1 PM PT

PRACTICAL POLICY WITH A PURPOSE: MAKING AN IMPACT

SPEAKERS:
MEGHAN CICHY, RDN, CEBRD, CSP, CD
BRITTANY CULBERT


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Washington State's Policy Reminders

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Register for February 9th



FEBRUARY 2, 9 & 18, 2022

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Thank You!



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