



November 26, 2024

Department of Health & Human Services  
Bureau of Licensing & Certification  
Health Facilities Administration  
129 Pleasant Street, Brown Bldg.  
Concord, NH 03301

**RE: Notice Number 2024-225, Rule Number He-P 811, End Stage Renal Disease Dialysis Centers**

Dear Ms. Raadmae:

The New Hampshire Academy of Nutrition and Dietetics (the “NHAND”) is pleased to provide comments on proposed changes to *Rule Number He-P 811, End Stage Renal Disease Dialysis Centers*. NHAND, representing 642 New Hampshire dietitians, is an affiliate of the Academy of Nutrition and Dietetics (the “Academy”), the largest association of nutrition and dietetics practitioners committed to accelerating improvements in global health and well-being through food and nutrition.

We recognize the aims of these updates are to provide for better clarity, program integrity, and to ensure consistency with language used in other rules. In general, we are supportive of the proposed changes recognizing that many of these changes are technical in nature but would encourage additional changes to meet the aims of this update.

**Section He-P 811.16 Required Services, Revised Section (o)**

Under Section 326-H:5 of the New Hampshire statutes it provides, “No person shall practice or represent himself or herself as a dietitian in this state without first applying for and receiving a license from the office of professional licensure and certification to practice as a licensed dietitian.” As such, consistent with the aims of this update, in revised section (o), which addresses dietary services, rather than providing standards for who is a qualified dietitian that do not align with current New Hampshire law, we recommend rewriting this section as follows:

~~(o)~~ The licensee shall provide dietary services, including the employment of a sufficient number of licensed dietitians who are registered by the Commission on Dietetic Registration and have at least one year of experience in clinical nutrition, to meet the needs of ~~clients/patients, and who:~~

~~(1) Are registered by the American Dietetic Association and have one year of experience in clinical nutrition; or~~

~~(2) Have a bachelor’s baccalaureate or advanced degree with major studies in food and nutrition or dietitian and one year of experience in clinical nutrition.~~

In more clean view, revised section (o) would read:

*(o) The licensee shall provide dietary services, including the employment of a sufficient number of licensed dietitians who are registered by the Commission on Dietetic Registration and have at least one year of experience in clinical nutrition, to meet the needs of patients.*

**Section He-P 811.17 Patient Management**

Under section (b)(4) of this section, consistent with our previous recommendation, we recommend inserting the word “licensed” before dietitian and updating the spelling of “dietician” to the preferred spelling, which is “dietitian.” This would also bring consistency throughout the rule.

With this recommendation, section (4) would read:

“(4) An individualized care plan shall be developed by an interdisciplinary team, composed of the patient~~client~~, the licensed practitioner, a registered nurse, a social worker, and a licensed dietitian~~dietician~~, and based on the results of: . . .”

In section (12)c., so long as section He-P 811.16 Required Services, Revised Section (o) is updated to include reference to *licensed dietitians who are registered with the Commission on Dietetic Registration*, for consistency and clarity throughout the rule, would recommend revising reference from “registered dietitian” to “licensed dietitian.”

This section would then read:

c. Provide consultations with a social worker, licensed~~registered~~ dietitian, or other professionals, as necessary;

**Section He-P 811.21 Quality Improvement**

We make the same recommendation as above for section (b)(4) of this section, recommending “dietitian” be updated to “licensed dietitian,” for consistency and clarity.

Providing for this change, section He-P 811.21(b)(4) would read:

(b) The quality improvement program shall include a quality improvement committee, which shall consist of:

- (1) The medical director;
- (2) The director of nursing;
- (3) A social worker;
- (4) A licensed dietitian; and
- (5) At least one other direct care staff provider.

The New Hampshire Academy of Nutrition and Dietetics appreciates the opportunity to provide these comments and is happy to work with the Department of Health & Human Services to provide further explanation as to any of our comments. Please feel free to reach out to Jennifer Messer or Charla Burill with any questions or requests for additional information.

Sincerely,



Jennifer Messer, MS, RDN, LD  
President  
New Hampshire Academy of Nutrition and Dietetics



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