

Testimony to the House Regulatory Reform Committee  
Coco Newton, MPH, RD, CCN  
October 15, 2013

My name is Coco Newton. Thank you very much for hearing my testimony. I am a Registered Dietitian, and for the past 32 years, I have been a member of the Michigan Dietetic Association, renamed the Michigan Academy of Nutrition and Dietetics (MAND) in 2012. As a Registered Dietitian (RD), I am automatically qualified for licensure under this law. Additionally, I am a Certified Clinical Nutritionist, which is an advanced credential that my dietitian colleagues do not deem qualified for licensure. So in a way, I am one of each, a hybrid of qualified and unqualified. I am here to share with you my reasons for supporting HB 4688 to repeal the Dietetics & Nutrition Licensing Law.

**The Board of Dietetics & Nutrition has biased representation.**

I served on the Michigan Board of Dietetics & Nutrition from Fall 2007 until Fall 2013 throughout the rule making process. The statute mandates that all professional members must be Registered Dietitians, thus no Nutritionists (without the RD credential) are allowed on the board. In addition to myself, one other dietitian member had advanced "alternative" credentials outside of dietetics. His name was Mohey Mowafy, PhD, RD and Certified Nutrition Specialist (CNS), a former professor at Northern Michigan University who recently retired. Dr. Mowafy and I felt that our board was highly biased and deliberately exclusionary. Hundreds upon hundreds of letters were sent to MDCH and numerous citizens came to give public comment urging the board to develop fair and representative rules that reflected the broader scope of nutrition beyond just the dietetics model. After 4 years of review during the rule making process, the board still decided not to include any other credential as qualified for licensure other than the RD.

A key problem with this statute and rules is that we have one trade association (MAND) dictating all of it. The field of nutrition cannot be reduced to a single credential, degree, trade association, or organization. Given that the RD is an entry-level credential that only

requires a Bachelor's degree and internship, it makes absolutely no sense for my organization (MAND) to be unilaterally acting as the diet police for the state.

From 1986 – 1988, I was the Licensure Chairperson for the Michigan Dietetic Association. The following quote from the Journal of the American Dietetic Association was our modus operandi:

"Like other professionals, dietitians can justify the enactment of licensure laws because licensing affords the opportunity to protect dietitians from interference in their field by other practitioners. Licensure also can protect dietitians by limiting the number of practitioners through restrictions imposed by academic, experience, and examination requirements. This protection provides a competitive advantage and therefore is economically beneficial for dietitians."

JADA Volume 84, No. 4; April 1984

This quote speaks directly to the monopolistic and anti-competitive intention, and nearly 30 years later, remains the same.

Here are the key messages you have heard from many of my dietitian colleagues:

RDs are the only truly qualified, rigorously scientifically educated, evidence-based, and trusted or safe nutrition practitioners. They state that licensure is needed to protect the public from uneducated and unskilled practitioners that might cause harm.

This "harm" information is promoted, solicited, and written up by my colleagues. We are given Documentation Of Harm forms, and then told to go find the documentation. There was even a contest almost 10 years ago that encouraged MDA members and non-members, technicians, and students to send in those forms and win free admission (\$200 value) to the annual meeting. That is the equivalent of a modern day "witch hunt", and it is still happening! There were no independently verified or objective reports of harm ever brought forth to the Board of Dietetics & Nutrition.

We need entrepreneurship and innovative nutrition businesses in Michigan. Nationally only 4% of dietitians are employed as business owners. The dietitian is typically employed by health care institutions, government, academic institutions, food service, and the food industry.

I AM SPEAKING FOR MANY QUALIFIED NUTRITION PRACTITIONERS WHO WORK MOSTLY IN PRIVATE PRACTICE AND IN CLINICS. THEY REPRESENT A VARIETY OF PROFESSIONALS THAT VALUE NUTRITION AS A CORE COMPONENT OF THEIR SERVICES. THEY HAVE OBTAINED CREDENTIALS, CERTIFICATIONS, AND CONTINUING EDUCATION IN NUTRITION. WE NEED THEIR BUSINESSES HERE IN MICHIGAN AND THEIR SERVICES FOR A HEALTHIER MICHIGAN POPULATION. I HAVE COLLEAGUES IN OTHER STATES THAT HAVE BEEN SENT CEASE & DESIST LETTERS, AND HAVE HAD TO CLOSE THEIR PRACTICES. MICHIGAN CAN NOT AFFORD TO FOLLOW THIS PATH FOR THE SAKE OF PUBLIC HEALTH AND THE ECONOMY.

AS AN RD, I AM PROTECTED EITHER WAY, SO I AM NOT ADVOCATING FOR MYSELF.

Please vote to support HB 4688 to take Michigan forward.