

**DEPARTMENT OF ADMINISTRATIVE SERVICES**  
**DIVISION OF PROFESSIONAL REGULATION**  
**3800 State Committee on Dietetics/Nutrition**  
**Statutory Authority: 24 Delaware Code, Section 3805(1) (24 Del.C. §3805(1))**  
**24 DE Admin. Code 3800**

**PROPOSED**

**PUBLIC NOTICE**

The State Committee on Dietetics/Nutrition in accordance with 24 **Del.C.** §3805(1) has proposed changes to its rules and regulations as mandated by SB 229 (74 **Del. Laws** c. 262). The proposal identifies crimes that are substantially related to the provision of services as a Certified Dietitian and/or Nutritionist.

A public hearing will be held at 2:30 p.m. on January 19, 2005 in the Second Floor Conference Room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Committee on Dietetics/Nutrition, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover, DE 19904. Persons wishing to submit written comments may forward these to the Committee at the above address. The final date to receive written comments will be at the public hearing.

The Committee will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

**Proposed Rules and Regulations**

**6.0 Crimes Substantially Related To Provision Of Dietetic/Nutrition Services.**

6.1 For the purposes of this section the following definition shall apply:

6.1.1 “Conviction” means a verdict of guilty by whether entered by a judge or jury, or a plea of guilty or a plea of nolo contendere or other similar plea such as a “Robinson” or “Alford” plea unless the individual has been discharged under §1024 of Title 10 (domestic violence diversion program) or by §4764 of Title 16 (first offenders controlled substances diversion program). Including all crimes prohibited by or punishable under Title 18 of the United States Code Annotated (U.S.C.A.) such as, but not limited to, Federal Health Care offenses.

6.2 Conviction of any of the following crimes, or of the attempt to commit or of a conspiracy to commit or conceal or of solicitation to commit the following crimes, is deemed to be a crime substantially related to the provision of Dietetics/Nutrition services as a Certified Dietitian and/or Nutritionist in the State of Delaware without regard to the place of conviction:

- 6.2.1 Homicide
- 6.2.2 Assault
- 6.2.3 Criminal Sexual Abuse
- 6.2.4 Tax Evasion
- 6.2.5 Kidnapping
- 6.2.6 Theft and all related offenses
- 6.2.7 Embezzlement
- 6.2.8 Child pornography
- 6.2.9 Forgery
- 6.2.10 Identity theft
- 6.2.11 Insurance fraud
- 6.2.12 Bribery
- 6.2.13 Perjury
- 6.2.14 Abuse- any abuse of a person or animal
- 6.2.15 Counterfeiting
- 6.2.16 Tampering with consumer products
- 6.2.17 Hate crimes
- 6.2.18 False or fraudulent statements
- 6.2.19 Kick Back schemes
- 6.2.20 Abduction or unlawful restraint

6.3 Crimes substantially related to the provision of services as a Certified Dietitian and/or Nutritionist shall be

deemed to include any crimes under any federal law, state law, or valid town, city or county ordinance, that are substantially similar to the crimes identified in this rule.

**8 DE Reg. 787 (12/01/04)**