

**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**

Pursuant to due notice of the time and place of hearing published in the News Journal and in the Delaware State News and in compliance with the requirements of 29 **Del.C.** §10115, 72 **Del. Laws C.** 292 and the Delaware Stated Committee on Dietetics/Nutrition (“Committee”) under its authority to enact rules and regulations specified in 24 **Del.C.** §3805, conducted a public hearing concerning proposed modifications to the Rules and Regulations of the Committee. The proposed modifications and additions were published in the Delaware *Register of Regulations* Volume 8, Issue 6, Wednesday, December 1, 2004.

Notice of the hearing was also published in two newspapers of general circulation and on page 929 of Volume 8, Issue 6 of the *Delaware Register of Regulations*. The public hearing was held on January 19, 2005 as scheduled in Conference Room B, Cannon Building, 861 Silver Lake Boulevard, Dover, Kent County, Delaware. A quorum of the Committee was present for the hearing.

**Summary Of The Evidence**

Pursuant to 29 **Del.C.** §10118, the following is a summary of the evidence and information provided at the hearing: No written comments were received and no individuals appeared to make oral comments.

**Findings Of Fact And Conclusions**

The Board finds that the procedures required for the modification of Rules and Regulations have been accomplished as required and that the proposed change furthers the public purposes of the Committee.

**Decision And Order**

Based upon the findings and conclusions set forth above, the undersigned, constituting a quorum of the Delaware State Committee on Dietetics/Nutrition, adopt the proposed modification to the Rules and Regulations published in the *Register of Regulations* in Volume 8, Issue 6, Wednesday, December 1, 2004, beginning at page 787 as a modification to the Rules and Regulations of the Committee, effective (See Attached EXHIBIT A).

SO ORDERED this 19th Day of January, 2005.

BY ORDER OF THE COMMITTEE ON DIETETICS/NUTRITION.

Marianne Carter  
Genalda Cornwall  
Tracie Sinibaldi

**3800 STATE COMMITTEE ON DIETETICS/NUTRITION**

**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.

**\*Please Note: As the rest of the sections were not amended they are not being published. A complete set of the rules and regulations for the State Committee on Dietetics/Nutrition is available at: <http://www.professionallicensing.state.de.us/boards/dietitians/index.shtml>**

**8 DE Reg. 1288 (3/1/05) (Final)**