

Rulemaking Hearing Rules

Board of Dietitian / Nutritionist Examiners - 0470

Chapter 0470-1  
General Rules and Regulations

Amendment

Rule 0470-1-.19 Board Meetings, Officers, Consultants, Records, and Declaratory Orders, is amended by deleting the catchline in its entirety and substituting instead the following language, and is further amended by adding the following language as new paragraph (7), so that as amended, the new catchline and the new paragraph (7) shall read:

0470-1-.19 Board Meetings, Officers, Consultants, Records, Declaratory Orders, and Screening Panels.

- (7) Screening Panels - The Board adopts, as if fully set out herein, rule 1200-10-1-.13, of the Division of Health Related Boards and as it may from time to time be amended, as its rule governing the screening panel process.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-138, 63-25-107, and 63-25-110.

New Rule

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0470-1-.14 Advertising

0470-1-.14 Advertising.

- (1) All advertisements shall adhere to the professional responsibilities specifically set out in Rule 0470-1-.13 governing professional ethics.
- (2) Advertising Records and Responsibility
  - (a) Each licensee who is a principal partner, or officer of a firm or entity identified in any advertisement, is jointly and severally responsible for the form and content of any advertisement. This provision shall also include any licensed professional employees acting as an agent of such firm or entity.
  - (b) Any and all advertisements are presumed to have been approved by the licensee named therein.
  - (c) A recording of every advertisement communicated by electronic media, and a copy of every advertisement communicated by print media, and a copy of any other form of advertisement shall be retained by the licensee for a period of one (1) year from the last date of broadcast or publication and be made available for review upon request by the Board or its designee.
  - (d) At the time any type of advertisement is placed, the licensee must possess and rely upon information which, when produced, would substantiate the truthfulness of any assertion, omission or representation of material fact set forth in the advertisement or public information.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-145, and 63-25-107.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 29th day of December, 2006, and will become effective on the 14th day of March, 2007. (12-31-06)