

PRACTICE TIP: What is meant by “Under the Supervision of a Registered Dietitian Nutritionist”?

The definition of supervision is contextual. It varies by setting, by profession, and by intent. For example, supervision may be categorized as to whether it is managerial, clinical, personal, or professional. Further, an individual’s experience in a work setting with supervision may affect their understanding of who a supervisor is and what supervision entails. In formulating a clear and precise definition of the term supervision as it applies to the [Revised 2024 Scope and Standards of Practice for the Nutrition and Dietetics Technician, Registered \(NDTR\)](#) both legal definitions and definitions used in similar practice circumstances were identified and analyzed.

Supervision is described in the [Revised 2024 Scope and Standards of Practice for the NDTR](#) as follows:

The NDTR and other professional, technical, and support staff work under the clinical supervision of the RDN when engaged in direct patient/client nutrition care activities in any setting:

- **The RDN is responsible for nutrition care:** when work delegated to and completed by NDTRs and other staff, the RDN is accountable to the patient/client, employer/organization, and regulator
- **Federal and state rules and regulations for health care facilities:** the qualified dietitian must supervise the nutritional aspects of patient care and provide nutrition assessments and dietary counseling
- **State dietitian/nutritionist practice acts and regulations:** may define supervision, and if applicable, statutory scope of practice specifications for technical and other assistive staff
- **NDTRs working in skilled or long-term care facilities:** work in collaboration with the staff or consultant RDN to address a resident's diet- or nutrition-related orders, including when the physician has delegated diet order writing to the RDN

Regulations and Accreditation Standards

RDNs and NDTRs are obligated to understand regulations and accreditation standards applicable to their roles. The below section outlines CMS hospital regulations and accreditation standards, it is **not** an all-inclusive list.

Centers for Medicare and Medicaid Services (CMS) - State Operations Manual Appendix A - Survey Protocol, Regulations and Interpretive Guidelines for Hospitals

§482.28 Condition of Participation: Food and Dietetic Services

(Rev. 216, Issued: 07-21-23; Effective/Implementation Date: 10-17-08)

§482.28(a)(2) - There must be a qualified dietitian, full-time, part-time or on a consultant basis.

Interpretive Guidelines §482.28(a)(2)

A qualified dietitian must supervise the nutritional aspects of patient care. Responsibilities of a hospital dietitian may include, but are not limited to:

- Approving patient menus and nutritional supplements;
- Patient, family, and caretaker dietary counseling;
- Performing and documenting nutritional assessments and evaluating patient tolerance to therapeutic diets when appropriate;

- Collaborating with other hospital services (e.g., medical staff, nursing services, pharmacy service, social work service, etc) to plan and implement patient care as necessary in meeting the nutritional needs of the patients;
- Maintaining pertinent patient data necessary to recommend, prescribe, or modify therapeutic diets as needed to meet the nutritional needs of the patients.

Qualification is determined on the basis of education, experience, specialized training, State licensure or registration when applicable, and maintaining professional standards of practice.

If the qualified dietitian does not work full-time, and when the dietitian is not available, the hospital must make adequate provisions for dietary consultation that meets the needs of the patients. The frequency of consultation depends on the total number of patients, their nutritional needs and the number of patients requiring therapeutic diets or other nutritional supplementation.

Survey Procedures §482.28(a)(2)

- Review the dietitian's personnel file to determine that he/she is qualified based on education, experience, specialized training, and, if required by State law, is licensed, certified, or registered by the State.
- If the dietitian is not full-time, determine that the number of hours spent working is appropriate to serve the nutritional needs of the patients, and that the hospital makes adequate provisions for qualified consultant coverage when the dietitian is not available.

§482.28(a)(3) - There must be administrative and technical personnel competent in their respective duties.

Interpretive Guidelines §482.28(a)(3)

Administrative and technical personnel must be competent in their assigned duties. This competency is demonstrated through education, experience and specialized training appropriate to the task(s) assigned. Personnel files should include documentation that the staff member(s) is competent in their respective duties.

Survey Procedures §482.28(a)(3)

Review personnel files for administrative and technical staff to determine they have appropriate credentials as required and have received adequate training and are competent in their respective duties.

Reference: Center for Medicare & Medicaid Services. *State Operations Manual*. Appendix A: Hospital Conditions of Participation. Available online at: https://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/downloads/som107ap_a_hospitals.pdf. Accessed March 4, 2024.

**Centers for Medicare and Medicaid Services - State Operations Manual
Appendix PP - Guidance to Surveyors for Long Term Care Facilities –Rev. 211, 02-03-23**

§483.60 Food and Nutrition Services F800 (Rev. 173, Effective 11-28-17)

The facility must provide each resident with a nourishing, palatable, well-balanced diet that meets his or her daily nutritional and special dietary needs taking into consideration the preferences of each resident.

F801

§483.60 (a) Staffing (Rev. 207; Effective 09-30-22)

The facility must employ sufficient staff with the appropriate competencies and skill sets to carry out the functions of the food and nutrition service, taking into consideration resident assessments, individual plans of

care and the number, acuity and diagnoses of the facility's resident population in accordance with the facility assessment required at §483.70(e).

This includes:

§483.60(a)(1) A qualified dietitian or other clinically qualified nutrition professional either full-time, part-time, or on a consultant basis. A qualified dietitian or other clinically qualified nutrition professional is one who—

- (i) Holds a bachelor's or higher degree granted by a regionally accredited college or university in the United States (or an equivalent foreign degree) with completion of the academic requirements of a program in nutrition or dietetics accredited by an appropriate national accreditation organization recognized for this purpose.
- (ii) Has completed at least 900 hours of supervised dietetics practice under the supervision of a registered dietitian or nutrition professional.
- (iii) Is licensed or certified as a dietitian or nutrition professional by the State in which the services are performed. In a State that does not provide for licensure or certification, the individual will be deemed to have met the requirements if he or she is recognized as a "registered dietitian" by the Commission on Dietetic Registration or its successor organization or meets the requirements of (a)(1)(i) and (ii) of this section.
- (iv) For dietitians hired or contracted with prior to November 28, 2016, meets these requirements no later than 5 years after November 28, 2016 or as required by state law.

§483.60(a)(2) If a qualified dietitian or other clinically qualified nutrition professional is not employed full-time, the facility must designate a person to serve as the director of food and nutrition services.

- (i) The director of food and nutrition services must at a minimum meet one of the following qualifications—
 - (A) A certified dietary manager; or
 - (B) A certified food service manager; or
 - (C) Has similar national certification for food service management and safety from a national certifying body; or
 - (D) Has an associate's or higher degree in food service management or in hospitality, if the course of study includes food service or restaurant management, from an accredited institution of higher learning; or
 - (E) Has 2 or more years of experience in the position of director of food and nutrition services in a nursing facility setting and has completed a course of study in food safety and management, by no later than October 1, 2023, that includes topics integral to managing dietary operations including, but not limited to, foodborne illness, sanitation procedures, and food purchasing/receiving; and
- (ii) In States that have established standards for food service managers or dietary managers or dietary managers, meets State requirements for food service managers or dietary managers, and
- (iii) Receives frequently scheduled consultation from a qualified dietitian or other clinically qualified nutrition professional.

Intent: §483.60 (a)(1)-(2)

To ensure there is sufficient and qualified staff with the appropriate competencies and skill sets to carry out food and nutrition services.

Guidance: §483.60 (a)(1)-(2)

Cite F801 for concerns regarding the qualifications of the dietitian, other clinical nutrition professionals, or the food services director. For concerns regarding support personnel refer to F802, Sufficient Dietary Support Personnel.

In addition, cite F801 if staff, specifically the qualified dietitian or other clinically qualified nutrition professional did not carry out the functions of the food and nutrition services. While these functions may be defined by facility management, at a minimum they should include, but are not limited to:

- Assessing the nutritional needs of residents;
- Developing and evaluating regular and therapeutic diets, including texture of foods and liquids, to meet specialized needs of residents;
- Developing and implementing person centered education programs involving food and nutrition services for all facility staff;
- Overseeing the budget and purchasing of food and supplies, and food preparation, service and storage; and
- Participating in the quality assurance and performance improvement (QAPI), as described in §483.75, when food and nutrition services are involved.

The qualified dietitian or other clinically qualified nutrition professional can decide to oversee and delegate some of the activities listed above to the director of food and nutrition services.

Probes: §483.60 (a)(1)-(2)

If the survey team finds concerns regarding a resident's food and/or nutritional status determine:

- If the practices of the dietitian, nutrition professional, and/or food services director contributed to the identified concerns. If so, how?
- How facility management ensures that staff have the appropriate competencies and skills sets to carry out the functions of the food and nutrition service?
- If a food services director is employed by the facility, do they have frequent consultations with the dietitian or other nutrition professionals or consultants employed by the facility?

F802

§483.60 (a) Staffing (same wording as above in §483.60 (a))

§483.60(a)(3) Support Staff

The facility must provide sufficient support personnel to safely and effectively carry out the functions of the food and nutrition service.

§483.60(b) A member of the Food and Nutrition Services staff must participate on the interdisciplinary team as required in §483.21(b)(2)(ii).

Definition §483.60(a)(3)-(b)

"Sufficient support personnel" means having enough dietary and food and nutrition staff to safely carry out all of the functions of the food and nutrition services. This does not include staff, such as licensed nurses, nurse aides or paid feeding assistants, involved in assisting residents with eating.

Procedures: §483.60(a)(3) and (b)

- Through observations and interviews determine if there are sufficient support personnel to safely and effectively carry out the meal preparation and other food and nutrition services as defined by facility management.
- Observe and interview residents to determine if their needs and preferences are met, if the food is palatable, attractive, served at the proper temperatures and at appropriate times? If concerns are identified, determine if they may be related to insufficient or inadequately trained personnel.
- Do observations and/or interviews indicate there are sufficient staff to prepare and serve meals in a timely manner and to maintain food safety and temperature?

- Determine who represents food and nutrition services at interdisciplinary team meetings.

Reference: Center for Medicare & Medicaid Services. *State Operations Manual*. Appendix PP: Guidance to Surveyors for Long Term Care Facilities. Available online at https://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/downloads/som107ap_pp_guidelines_ltcf.pdf. Accessed March 5, 2024.

Accreditation Organization Standards

It is incumbent upon the RDN to seek out, understand, and apply all applicable standards of the accreditation organization their facility uses. Below are examples of accreditation organizations:

- 1) *The DNV – NIAHO – National Integrated Accreditation for Healthcare Organizations – Dietary Services* – reviews standards for staffing qualifications and requirements.
- 2) *Accreditation Commission for Health Care (ACHC), formerly HFAP – The Healthcare Facilities Accreditation Program (2020)* – Standards Chapter – Nutritional Services – outlines the staffing qualifications and requirements.
- 3) *The Joint Commission for HOSPITAL Accreditation Standards* – the RDN and Food services and Nutrition services staff are embedded within the chapters:

The Joint Commission – Standards Chapter: Human Resources – HR

- Standard HR.01.01.01 – defines and verifies staff qualifications
- Standard HR.01.02.05 – determines necessary staff to support care and services provided
- Standard HR 01.02.07 -- determines how staff function within the organization
- Standard HR.01.04.01 – provides orientation to staff
- Standard HR.01.05.03 – participate in ongoing education and training
- Standard HR.01.06.01 – competent to perform their responsibilities
- Standard HR.01.07.01 – evaluates staff performance
- Standard PC.02.01.03 – hospital provides care, treatment, and services as ordered or prescribed, and in accordance with law and regulation
- Standard PC.02.02.03 – hospital makes food and nutrition products available to its patients

Reference: The Joint Commission Hospital Accreditation Standards 2023

In this Practice Tips, the CDR has chosen to use the term RDN to refer to both registered dietitians (RD) and registered dietitian nutritionists (RDN) and to use the term NDTR to refer to both dietetic technician, registered (DTR) and nutrition and dietetics technician, registered (NDTR).