

STATE OF WISCONSIN  
DIETITIANS AFFILIATED CREDENTIALING BOARD

---

IN THE MATTER OF RULE-MAKING : ORDER OF THE  
PROCEEDINGS BEFORE THE : DIETITIANS AFFILIATED  
DIETITIANS AFFILIATED : CREDENTIALING BOARD  
CREDENTIALING BOARD : ADOPTING RULES  
: (CLEARINGHOUSE RULE 05-021)

---

ORDER

An order of the Dietitians Affiliated Credentialing Board to amend DI 2.04 (1) (c) and 3.01 (1), relating to filing applications for temporary certificates and examinations.

Analysis prepared by the Department of Regulation and Licensing.

---

ANALYSIS

**Statutes interpreted:**

Sections 448.80 and 448.84, Stats.

**Statutory authority:**

Sections 15.085 (5) (b) and 227.11 (2), Stats.

**Explanation of agency authority:**

Currently, s. DI 2.04 (1) (c) requires that a candidate for licensure apply to take the American Dietetic Association examination at least 120 days prior to the examination being offered. Similarly, s. DI 3.01 (1) requires applicants to file their applications for licensure at least 120 days prior to the next examination being offered by the American Dietetic Association. Because the American Dietetic Association's examination is now computer assisted, candidates may schedule those examinations at their convenience, thereby eliminating the necessity to schedule at least 120 days in advance. Eliminating the 120 day advance filing requirement will therefore provide greater flexibility to those candidates applying for licensure and simplify the credentialing process.

**Related statute or rule:**

There are no related statutes or rules other than those listed above.

**Plain language analysis:**

In this rule-making order the Dietitians Affiliated Credentialing Board is amending language relating to filing applications for examinations and temporary certificates. Since the American Dietetic Association's pre-licensing procedures are now computer assisted, an applicant may

now schedule the examination at his or her convenience. Therefore, there is no reason to require the 120 day wait.

SECTION 1 amends the examination provisions to allow applicants to obtain a temporary certificate and submit application to take the examination as soon as possible, without a 120 day wait.

SECTION 2 amends the application submission process allowing the applicant to take the examination as soon as possible, without a 120 day wait.

**Summary of, and comparison with, existing or proposed federal regulation:**

There is no existing federal regulation.

**Comparison with rules in adjacent states:**

A search of rules adopted in Michigan, Minnesota, Iowa, Illinois and Indiana indicates that none of these states have time requirements for submission of applications. There are no federal regulations concerned with time requirements for submission of applications for dietitian credentials in the states.

**Summary of factual data and analytical methodologies:**

The board is responding to communication from the Commission on Dietetic Registration indicating that the 120 day period is no longer needed to prepare for candidates to take the examination. The rule change is a response to this improvement in their processes.

**Determination of significant fiscal effect on the private sector:**

The department finds that this rule has no significant fiscal effect on the private sector.

**Fiscal estimate:**

The proposed rules will have no impact on the department's funds.

**Effect on small business:**

Pursuant to s. 227.114 (1) (a), Stats., these rules will have no significant economic impact on a substantial number of small businesses. The Department's Small Business Regulatory Review Coordinator may be contacted by email at [chris.klein@drl.state.wi.us](mailto:chris.klein@drl.state.wi.us), or by calling (608) 266-8608.

**Agency contact person:**

Pamela Haack, Paralegal, Department of Regulation and Licensing, 1400 East Washington Avenue, Room 171, P.O. Box 8935, Madison, Wisconsin 53708. Telephone: (608) 266-0495. Email address: [pamela.haack@drl.state.wi.us](mailto:pamela.haack@drl.state.wi.us).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Pamela Haack at the addresses listed above. Comments must be received on or before April 22, 2005, to be included in the record of rule-making proceedings.

-----  
TEXT OF RULE

SECTION 1. DI 2.04 (1) (c) is amended to read:

DI 2.04 (1) (c) Submits an application for examination ~~at least 120 days prior to the date of the next scheduled examination~~ along with the fee specified in s. 440.05, Stats.

SECTION 2. DI 3.01 (1) is amended to read:

**DI 3.01 Examination provisions.** (1) An applicant for examination for a certificate as a dietitian shall file an application on a form prescribed by the board ~~at least 120 days prior to the date of the next scheduled examination~~ and shall submit the fee specified in s. 440.05 (1) (b), Stats.

-----  
(END OF TEXT OF RULE)  
-----

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated \_\_\_\_\_

Agency \_\_\_\_\_  
Chairperson  
Dietitians Affiliated Credentialing Board