39-923. Definitions

"Dietetic Services Supervisor" means an individual who meets one of the following requirements:

1) Is licensed in the state of Kansas as a dietitian.

2) has an associate's degree in dietetic technology from a program approved by the American dietetic association.

3) has a certificate from a dietary managers' training program approved by the dietary managers' association; or

4) has training and experience in dietetic services supervision and management that are determined by the secretary of health and environment to be equivalent in content to the program in paragraphs (2) and (3) of this subsection.

"Dietitian" means an individual who is licensed by the Kansas department of health and environment as a dietitian.

"Paid nutrition assistant" means an individual who is paid to feed residents of an adult care home, or who is used under an arrangement with another agency or organization, which is trained by a person meeting nurse aide instructor qualifications as prescribed by 42 C.F.R. 483.152, 42 C.F.R. 483.160 and paragraph (h) of 42 C.F.R. 483.35, in effect on October 27, 2003, and who provides such assistance under the supervision of a registered professional or licensed practical nurse.


The following definitions shall apply to all adult care homes except nursing facilities for mental health and intermediate care facilities for the mentally retarded.

(11) Paid nutrition assistant” has the meaning specified in K.S.A. 39-923, and amendments thereto. In addition, each paid nutrition assistant shall meet the following requirements:

(1) Have successfully completed a nutrition assistant course approved by the Kansas department of health and environment;

(2) provide assistance with eating to residents of an adult care home based on
an assessment by the supervising licensed nurse, the resident’s most recent minimum data set assessment or functional capacity screening, and the resident’s current care plan or negotiated service agreement;

(3) provide assistance with eating to residents who do not have complicated feeding problems;

(4) be supervised by a licensed nurse on duty in the facility; and

(5) contact the supervising licensed nurse verbally or on the resident call system for help in case of an emergency.


The following material shall apply to all adult care homes except nursing facilities for mental health, intermediate care facilities for the mentally retarded, and boarding care homes:


28-39-158. Dietary services.

The nursing facility shall provide each resident with nourishing, palatable, attractive, non-contaminated foods that meet the daily nutritional and special dietary needs of each resident. A facility that has a contract with an outside food management company shall be found to be in compliance with this regulation if the company meets the requirements of these regulations.

(a) Staffing.

(1) Overall supervisory responsibility for the dietetic services shall be the assigned responsibility of a full-time employee who is a licensed dietitian or a dietetic services supervisor who receives regularly scheduled onsite supervision from a licensed dietitian. The nursing facility shall provide sufficient support staff to assure adequate time for planning and supervision.
State Regulation for Dietary Service — KS

(2) The nursing facility shall implement written policies and procedures for all functions of the dietetic services department. The policies and procedures shall be available for use in the department.

(b) Menus and nutritional adequacy.

(1) Menus shall meet the nutritional needs of the residents in accordance with:

(A) each resident's comprehensive assessment;

(B) the attending physician's orders; and

(C) the recommended dietary allowances of the food and nutrition board of the national research council, national academy of sciences as published in Recommended Dietary Allowances, 10th ed., 1989.

(2) Menus for all diets and therapeutic modifications shall be written at least two weeks in advance of service and shall be approved by a licensed dietitian.

(3) Menus shall ensure that not less than 20 percent of the total calorie intake is served at one meal.

(4) When a substitution is necessary, the substitute shall be of similar nutritive value, recorded, and available for review.

(5) Menus shall be followed.

(6) The nursing facility shall keep on file and available for review records of the foods purchased and meals and snacks actually served for three months.

(c) Food. Each facility shall comply with the following provisions.

(1) Dietary service staff shall prepare the food by methods that conserve nutritive value, flavor, appetizing aroma, and appearance.

(2) Food shall be attractive, flavorful, well-seasoned, and served at the proper temperature.

(A) Before serving, the facility shall hold hot foods at 140o F or above.

(B) Hot foods, when served to the resident, shall not be below 115o F.

(C) The facility shall hold and serve cold foods that are potentially hazardous at not more than 45o F.

(3) The facility shall prepare the food using standardized recipes adjusted to the number of residents served.

(4) The facility shall prepare the food in a form designed to meet individual resident needs.

(5) When a resident refuses a food served, the facility shall serve the resident food of similar nutritive value as a substitute.

(d) Therapeutic diets.
State Regulation for Dietary Service — KS

(1) The attending physician shall prescribe any therapeutic diets.

(2) A current diet manual approved by the licensed dietitian shall be available to attending physicians, nurses, and dietetic services personnel. The facility shall use the manual as a guide for writing menus for therapeutic diets.

(e) Frequency of meals.

(1) Each resident shall receive and the facility shall:

(A) Provide at least three meals daily, at regular times;

(B) offer nourishment at bedtime to all residents unless clinically contra-indicated; and

(C) provide between-meal nourishments when clinically indicated or requested when not clinically contra-indicated.

(2) There shall be no more than 14 hours’ time between a substantial evening meal and breakfast the following day, except when a nourishing snack is provided at bedtime, in which instance 16 hours may elapse. A nourishing snack shall contain items from at least 2 food groups.

(f) Assistive devices. Each facility shall provide, based on the comprehensive assessment, special eating equipment and utensils for residents who need them.

(g) Sanitary conditions. Each facility shall comply with the following provisions.

(1) The facility shall procure all foods from sources approved or considered satisfactory by federal, state and local authorities.

(2) The facility shall store, prepare, display, distribute, and serve foods to residents, visitors and staff under sanitary conditions.

(A) The facility shall keep potentially hazardous foods at a temperature of 45o F or 7o C or lower, or at a temperature of 140o F or 60o C or higher.

(B) The facility shall provide each mechanically refrigerated storage area with a numerically scaled thermometer, accurate to +plus or -minus 3o F or 1.5o C, which is located to measure the warmest part of the storage area and is easily readable.

(C) The facility shall keep frozen food frozen and shall store the food at a temperature of not more than 0o F.

(D) The facility shall store each prepared food, dry or staple food, single service ware, sanitized equipment, or utensil at least six inches or 15 centimeters above the floor on clean surfaces and shall protect the food from contamination.

(E) The facility shall store and label containers of poisonous compounds or cleaning supplies and keep the containers in areas separate from those used for food storage, preparation and serving.
State Regulation for Dietary Service — KS

(F) The facility shall cover, label, and date each food item not stored in the original product container or package.

(G) The facility shall tightly cover and date each opened food item stored in the original product container or package.

(H) The facility shall not store prepared foods, dry or staple foods, single service ware, sanitized equipment or utensils and containers of food under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads. The facility shall not store food and service equipment or utensils in toilet rooms.

(I) The facility shall store food not subject to further washing or cooking before serving in a way that protects the food against cross-contamination.

(J) The facility shall not store packaged food subject to entry of water in contact with water or undrained ice.

(3) The facility shall prepare and serve food:

(A) with the least possible manual contact;

(B) with suitable utensils; and

(C) on surfaces that have been cleaned, rinsed and sanitized before use to prevent cross-contamination.

(4) The facility shall not prepare or serve food from containers with serious defects.

(5) The facility shall thoroughly wash each raw fruit and raw vegetable with water before being cooked or served.

(6) With the following exceptions, the facility shall cook potentially hazardous foods which require cooking to at least 145°F.

(A) The facility shall cook poultry, poultry stuffings, stuffed meats and stuffing containing meat to a minimum temperature of 165°F in all parts of the food with no interruption of the cooking process.

(B) The facility shall cook pork and any food containing pork to a minimum temperature of 150°F in all parts of the food.

(C) The facility shall cook ground beef and any food containing ground beef to at least 155°F in all parts of the food.

(7) When foods in which dry milk has been added are not cooked, the foods shall be consumed within 24 hours.

(8) The facility shall use only pasteurized fresh milk as a milk beverage and shall transfer to a glass directly from a milk dispenser or original container. When clinically indicated, non-fat dry milk may be added to fresh milk served to a resident.
(9) The facility shall use only clean whole eggs, with shells intact and without cracks or checks, or pasteurized liquid, frozen, or dry eggs or egg products, or commercially prepared and packaged hard cooked, peeled eggs. All eggs shall be cooked.

(10) The facility shall reheat rapidly potentially hazardous foods that have been cooked and then refrigerated to a minimum of 165°F throughout before being served or before being placed in a hot food storage unit.

(11) The facility shall use metal stem-type numerically scaled thermometers, accurate to plus or minus 3°F to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of potentially hazardous foods.

(12) The facility shall thaw potentially hazardous foods:

(A) Under refrigeration;

(B) under cold running water;

(C) in a microwave when the food will be immediately cooked; or

(D) as part of the cooking process.

(h) Service. The facility shall:

(1) Provide dining room service for all capable residents;

(2) provide ice for beverages which shall be handled in a manner which prevents contamination;

(3) cover food distributed for room service and to dining rooms not adjacent to the dietetic services department; and

(4) protect food on display from contamination by the use of packaging or by the use of easily cleanable counter, serving line or salad bar protective devices or other effective means.

(i) Dietary employees shall:

(1) Thoroughly wash their hands and exposed portions of their arms with soap and water before starting work, during work as often as necessary to keep them clean, and after smoking, eating, drinking, or using the toilet. Employees shall keep their fingernails clean and trimmed;

(2) wear clean outer clothing;

(3) use effective hair restraints to prevent contamination of food and food-contact surfaces;

(4) taste food in a sanitary manner;

(5) use equipment and utensils constructed from and repaired with safe materials;

(6) Clean and sanitize equipment and utensils after each use;
(7) Use clean, dry cloths or paper used for no purpose but for wiping food spills on tableware such as plates or bowls; and,

(8) Use cloths or sponges for wiping food spills on food and non-food contact surfaces which are clean, rinsed frequently in a sanitizing solution and stored in the sanitizing solution which is maintained at an effective concentration.

(i) The facility shall ensure that only persons authorized by the facility are in the dietary services area or areas.

(j) The facility shall ensure that the food preparation area is not used as a dining area.

(k) The facility shall ensure that the food preparation area is not used as a dining area.

(l) Cleaning procedures. The facility shall:

(1) Establish and follow cleaning procedures to ensure that all equipment and work areas, including walls, floors, and ceilings are clean;

(2) Perform cleaning and sanitizing of tableware and equipment by immersion, spray-type, or low-temperature dishwashing machines used according to the manufacturer's directions. Rinse temperature in hot water machines shall be a minimum of 160°F at the dish level;

(3) Air dry all tableware, kitchenware, and equipment;

(4) Store glasses and cups in an inverted position;

(5) Cover or invert other stored utensils;

(6) Provide for storage of knives, forks, and spoons so that the handle is first presented;

(7) Provide mops and mop pails for exclusive use in the dietary department;

(8) Provide a lavatory with hot and cold running water, soap, and single-service towels or a mechanical hand drying device in dietetic services;

(9) Dispose of waste in a sanitary manner via a food disposal or in clean containers with tight-fitting covers; and

(10) Cover waste containers except when in continuous use.

[Authorized by and implementing K.S.A. 39-932; effective Nov. 1, 1993; amended Feb. 21, 1997.]

28-39-287. Dietary services. [adult day care]

a) Each adult day care facility shall provide or coordinate the provision of dietary services to residents as specified in the resident’s negotiated service agreement. Each facility that has a contract with an outside food management company shall be responsible for the contracting company's compliance with these regulations.

a) Staffing
State Regulation for Dietary Service — KS

1) The overall supervisory responsibility for dietetic services shall be the assigned responsibility of one employee.

2) If the resident’s negotiated services agreement includes the provision of a therapeutic diet, the diet served shall be based on instruction from a physician or licensed dietitian.

3) Menus shall be planned in advance and shall be based on “nutrition and your health: dietary guidelines for Americans,” 4th edition, 1995, home and garden bulletin #232, published by the U.S. department of agriculture and the department of health and human services, which is hereby adopted by reference.

b) Foods shall be prepared by safe methods that conserve the nutritive value, flavor, and appearance and shall be attractively served at the proper temperature.

c) Menu plans shall be available to residents on at least a weekly basis.

d) A method shall be established to allow input by residents on the selection of food to be served and the scheduling of meal services.

(Authorized by and implementing K.S.A. 39-932; effective Oct. 8, 1999.)


The facility shall design and equip food service facilities to meet the requirements of the residents. A facility shall provide the following elements in a size appropriate to the implementation of the type of food services system employed.

1) There shall be a control station for receiving food supplies.

2) There shall be a storage space for food for at least four days.

3) There shall be food preparation facilities. Conventional food preparation systems shall include space and equipment for preparing, cooking, baking, and serving. Convenience food service systems, including frozen prepared meals, bulk-packaged entrees, individually packaged portions, or a system using contractual commissary services, shall include space and equipment for thawing, portioning, cooking, and baking.

4) There shall be a two-compartment sink for food preparation. Each facility constructed before February 15, 1977 shall be required to have a sink for food preparation.

...6) There shall be space for equipment for resident meal service, tray assembly, and distribution.

7) There shall be a ware-washing area apart from and located to prevent contamination of food preparation and serving areas. The area shall include commercial-type dishwashing equipment. Space shall be provided for receiving, scraping, sorting, and stacking soiled tableware and for transferring clean tableware to the using area.

8) There shall be a three-compartment deep sink for manual cleaning and sanitizing.
9) Exhaust ventilation for the ware-washing room and dietary dry storage area shall conform to K.A.R. 28-39-162c, table 1.

10) There shall be a sanitizing provision for cans, carts, and mobile tray conveyors in any facility constructed after February 15, 1977.

11) There shall be a waste storage area in a separate room or an outside area that is readily accessible for direct pickup or disposal.

13) A staff toilet and lavatory shall be accessible to the dietary staff.

14) Each facility constructed after February 15, 1977 shall contain a janitor’s closet located within the dietary department, which shall contain a floor receptor or service sink, and storage space for housekeeping equipment and supplies.

28-39-162c. Nursing facility physical environment; mechanical and electrical requirements.

...G) Hot water heating equipment shall have sufficient capacity to supply hot water at temperatures and amounts indicated below. Water temperature shall be measured at the hot water point of use or at the inlet to processing equipment. Dietary 120 (Minimum)-Temperature (degrees F).

Kansas Administrative Regulations: Rules and Regulations for Licensure of Kansas Dietitians

28-59-1 Application for a license or temporary license.

a) Each applicant for a license or temporary license shall submit a completed, department-approved application form and any requested supporting documentation to the department together with the appropriate fee specified in K.A.R. 28.59-7

b) Each applicant for a license or temporary license shall provide the department with the applicant’s academic transcripts and proof of receipt of a baccalaureate or postbaccalaureate degree. These documents shall be provided directly to the department by the academic institution.

c) A temporary license may be issued for either of the following purposes:

1) The applicant's completion of the examination specified in K.A.R. 28-59-4; or

2) The applicant's accrual of continuing education credits required to reinstate a lapsed license.

d) Each applicant for renewal of a temporary license shall submit a letter to the secretary requesting the renewal and describing why the applicant has failed to obtain a license in the
State Regulation for Dietary Service — KS

last six months and what measures are being taken to secure a license, together with the temporary license renewal fee specified in K.A.R. 28-59-7.


28-59-2 Application for a person licensed in another state.

a) Each applicant who is presently or has been previously licensed in another state shall submit a completed, department-approved application form with the license fee specified in K.A.R. 28-59-7.

b) Each applicant shall meet current requirements for licensure in Kansas. The requirements of one of the states that issued a license to the applicant shall be at least equal to Kansas licensure requirements at the time the applicant seeks a Kansas license.

c) Each applicant shall be in good standing with each licensing agency that has issued a license to the applicant.

d) “Good standing” means both of the following:

1) The applicant’s license is not under any administrative proceeding.

2) The applicant’s license is not under any disciplinary action.


28-59-3 Educational and experience requirements

a) To determine whether an applicant has complied with the requirements that the person has received a baccalaureate or postbaccalaureate degree pursuant to K.S.A. 65-5906, and amendments thereto, consideration shall be given to whether the course of study is accredited or approved by the American dietetic association or is deemed equivalent by the secretary.

b) Each applicant who has received a baccalaureate or postbaccalaureate degree outside the United States or its territories and whose transcript is not in English shall submit an officially translated English copy of the applicant’s transcript and, if necessary, supporting documents. The transcript shall be translated by a source and in a manner that are acceptable to the secretary. Each applicant shall pay any transcription fee directly to the transcriber.

c) Each applicant who has received a baccalaureate or postbaccalaureate degree outside the United States or its territories shall obtain an equivalency validation from an agency that is approved by the secretary and that specializes in educational credential evaluations. Each applicant shall pay the required equivalency validation fee directly to the validation agency.

d) Each applicant who has received a baccalaureate or postbaccalaureate degree and whose course of study was not from an American dietetic association accredited or approved
program shall obtain an equivalency validation from a college or university accredited or approved dietetics program approved by the secretary.

e) To determine whether an applicant has complied with the requirement that a person complete 900 clock hours of dietetic experience pursuant to K.S.A. 65-5906, and amendments thereto, consideration shall be given to whether or not the supervised experience is acquired through an American dietetic association approved or accredited program for dietitians or is deemed its equivalent by the secretary.

f) Each applicant who did not receive the supervised experience from an American dietetic association accredited or approved program shall obtain an equivalency validation from a college or university accredited or approved dietetics program approved by the secretary.

g) Each applicant shall submit the necessary documentation for an equivalency validation to be made. Each equivalency validation evaluation and corresponding documentation shall be sent directly to the department by the agency providing the validation. After consideration of the evaluation and documentation, the applicant shall be notified in writing of the decision of the secretary.

h) “American dietetic association” means the national professional association that accredits or approves educational programs and supervised experience programs in dietetics.


29-59-4 Examination requirement

The following shall be the procedures for the examination of applicants:

a) Each applicant for a license shall pass an examination for dietitians approved by the secretary. The minimum passing score for the examination shall be 25.

b) Each applicant shall have successfully completed a course of study and supervision experience pursuant to K.S.A. 65-5906, and amendments thereto, before submitting an application to sit for the examination.

c) Each applicant shall pay the required examination fee directly to the testing agency.

28-59-5. License renewal

The provisions of this regulation shall not apply to temporary licenses.

a) Each applicant for renewal of a license shall submit a completed, department-approved application form and any requested supporting documentation with the license renewal fee specified in K.A.R. 28-59-7.

b) Each applicant for renewal of a license shall be completed 15 clock hours of documented and approved continuing education during the renewal period. Approved continuing education clock hours completed in excess of the 15-hours requirement shall not be carried over to the subsequent renewal period. “One clock hour” means a minimum of 50 minutes
of direct instruction, exclusive of registration, breaks, and meals. c) Each application for renewal of a license shall be filed on or before the last day of February of the calendar year in which the license expires. Licenses shall be renewable biennially, with the day of expiration being the last day of February of the applicable year.

d) “Sponsorship” means an approved, long-term sponsoring of programs for the purpose of fulfilling renewal or reinstatement continuing education requirements. Each approved sponsor shall be accountable for upholding the standards in place for the approval of continuing education programs under the authority of the department. Each sponsor shall make application and fulfill requirements as prescribed on department-approved forms. The authority to sanction or otherwise discipline an approved sponsor shall be maintained by the department. These sanctions may include any of the following:

1) Supplementary documentation;
2) program restrictions;
3) temporary or permanent suspension of long-term sponsorship approval; or
4) other disciplinary steps as prescribed by the department.

e) Methods of accruing continuing education hours:

1) Continuing education may be accrued from any of the following:
A) Academic courses;
B) workshops, seminars, or poster sessions;
C) self-directed study materials; or
D) presentations.

2) Academic courses shall be from a regionally accredited college or university.

3) Self-study materials may include audio tapes, study kits, and videotapes.

f) The content and objective of the continuing education activity shall be primarily related to the practice of dietetics pursuant to K.S.A. 65-5902, and amendments thereto. The purpose of the educational activity shall be the furthering of the applicant’s education and shall not be a part of the applicant’s job responsibilities. In-service shall be considered to be part of the applicant’s job responsibilities.

g) Each applicant shall have requested and received approval by the department for continuing education activities before submission of the license renewal application and license renewal fee.

h) Approval for a continuing education activity may be obtained by either of the following methods:
A) The instructor or sponsor of a single-offering continuing education activity submitting information and documentation on forms approved by the department before the activity's occurrence; or

B) the applicant submitting information and documentation on forms approved by the department requesting approval for an activity that has already taken place.

2) An organization, institution, agency, or individual shall be qualified for approval as a long-term sponsor of continuing education activities if, after review of the application, the secretary determines that the applicant agrees to perform all of the following:

A) Present organized programs of learning;

B) present subject matter that integrally relates to the practice of dietetics;

C) approve and present program activities that contribute to the professional competency of the licensee; and

D) sponsor program presenters who are individuals with education, training, or experience qualifying them to present the subject matter of the programs.

i) All continuing education sponsors that received approval as specified in paragraph (h)(2) shall provide a certificate of attendance to each licensee who attends a continuing education activity. This certificate shall state the following:

1) The sponsor's name and approval number;

2) the date of the program;

3) the name of the participant;

4) the total number of clock hours of the approved activity attended, excluding introductions, registration, breaks, and meals;

5) the activity title and its presenter;

6) the location; and

7) an indication of whether or not the activity has been approved for dietetics continuing education.

j) Assignment of clock hours to approved continuing education activities shall be determined by the following criteria:

1) One academic-semester credit hour course shall be equivalent to 15 clock hours of continuing education. One academic-trimester credit hour course shall be equivalent to 14 clock hours of continuing education. One academic quarter credit hour course shall be equivalent to 10 clock hours of continuing education.

2) One academic-semester credit hour course audited shall be equivalent to eight clock hours of continuing education. One academic-trimester credit hour course audited shall be
State Regulation for Dietary Service — KS

equivalent to seven clock hours of continuing education. One academic-quarter credit hour course audited shall be equivalent to five clock hours of continuing education.

3) One clock hour of contact between a presentation instructor and the applicant shall be equivalent to one clock hour of continuing education for the applicant.

A) Contact time shall be rounded down to the nearest one-half hour interval.

B) The presenting instructor may be given two clock hours of continuing education for every one clock hour of contact between the instructor and the attendees for each first-time preparation and presentation of a new workshop, seminar, or poster session.

C) If the presentation was presented by more than one instructor, the continuing education clock hours shall be prorated among the instructors.

4) One clock hour of time required to complete the self-directed study material, as specified by the sponsor of the material, shall be equivalent to one clock hour of continuing education. The criteria for approving self-directed study shall include the following:

A) Contact time shall be rounded down to the nearest one-half hour interval.

B) Each applicant shall provide validation of actual completion of the material.

k) Each applicant shall maintain individual records of information and documentation on approved continuing education hours. A verification of these records shall be submitted to the department as part of the license renewal application.

l) Each licensee whose initial licensure period is less than 24 months shall be required to obtain not less than one-half of continuing education for each month in the initial licensure period.

28-59-5a Reinstatement of license.

Each applicant for reinstatement of a license shall meet the following criteria:

a) Submit an application on department-approved forms accompanied by the appropriate fee specified in K.A.R. 28-59-7; and

b) document and verify the accumulation of not less than 15 hours of approved continuing education as specified in K.A.R. 28-59-5 for the previous complete or partial licensure period. The required hours of approved continuing education shall have been accumulated within the past two calendar years before the date of application for reinstatement.


28-59-6 Unprofessional conduct

Any of the following acts shall be evidence of unprofessional conduct of a licensee, temporary licensee, or applicant:

a) Misrepresenting any professional qualifications or credentials;

b) promoting or endorsing products in a manner that is misleading or false;

c) making false or misleading claims about the efficacy of any dietetic services;

d) permitting the use of one's name or credentials for the purpose of certifying the dietetic services have been rendered when the licensee or applicant has not provided or supervised the provision of the services;

e) failing to maintain the knowledge and skills required for continuing professional competence;

f) failing to exercise appropriate supervision over persons if there is a supervisory relationship;

g) impersonating another person who is licensed;

h) knowingly allowing another person to use one's license;

i) assisting another person to obtain a license under false pretense;

j) failing to report to the department alleged violations of K.S.A. 65-5901, et seq., and amendments thereto, and article 59 of these regulations;

l) refusing to cooperate in a timely manner with the department’s investigation of complaints lodged against a licensee, temporary licensee, or applicant;

m) acquiring or providing a commission or rebate or any other form of remuneration for referral to any other services or the use of any services.
n) failing to disclose to a client any interest in commercial enterprises that the licensee, temporary licensee or applicant promotes for the purpose of personal gain or profit;

o) using undue influence on a client, including the promotion of the sales of services and products in a manner that exploits the client for financial gain or personal gratification;

p) failing to provide prospective clients with information, including obligation for the payment and financial arrangements, that might affect the client’s decision to enter into the relationship;

q) misrepresenting professional competency by performing or offering to perform services that are clearly unwarranted on the basis of education, training, or experience; or

r) failing to conform to generally accepted principle and standards of dietetic practice, which shall be those generally recognized by the profession as appropriate for the situation presented, including those promulgated or interpreted by professional or governmental bodies.

(authorized by the implementing K.S.A. 1999 Supp. 65-5911(a)(2); effective Feb. 18, 1991; amended March 16, 2001.)

28-59-7 Fees

a) The license application fee shall be $140.00. The license application fee for an initial licensure period of less than 24 months shall be prorated at $5.50 per month for any full or partial month, until the last day of February of the calendar year that is not less than 12 months and not more than 24 months from the date of application.

b) The license renewal fee shall be $135.00.

c) The license renewal late fee shall be $50.00

d) The temporary license application fee shall be $70.00

e) The temporary license renewal fee shall be $70.00

f) The application fee for reinstatement of a lapsed or revoked license shall be $100.00 in addition to the license renewal fee established in subsection (b) of this regulation.

g) The wall or wallet card license replacement fee shall be $10.00

h) The sponsorship application fee shall be $150.00


28-59-8 Change of name or address

a) Each licensee shall notify the department of any changes in name or mailing address within 15 days of these changes.
b) Notification of address changes shall be made directly to the department and shall include the name, old mailing address, new mailing address, and zip code.

c) Within 90 days of the notification of name change, the following shall be received by the department:

1) A copy of a marriage certificate, the court decree evidencing the change, or a social security card reflecting the new name; and

2) payment of the applicable fee specified in K.A.R. 29-59-7 if a new wallet card is requested. In addition, the previously issued identification card shall be returned to the department.

(authorized by and implementing K.S.A. 65-5904; effective Feb. 18, 2001; amended March 16, 2001.)