



Minnesota Board of Dietetics and Nutrition Practice

2829 University Avenue S.E., Suite 402 • Minneapolis, MN 55414-3245

Phone: (651-201-2764) • Fax: (651) 201-2763

www.dieteticsnutritionboard.state.mn.us

Instructions: Use of this form is not required for the purpose of processing the complaint. However, for this office to process a complaint against a licensed dietitian, licensed nutritionist, or an unlicensed person who may be engaging in the practice of dietetics and nutrition practice, we need to receive a signed, written complaint.

Please state in detail all the facts relating to the complaint. Include all relevant names, dates, times, places and lists of documents or records which are in your possession or which you know to exist. Also, include copies of all documents or other records that may bear on this complaint in order to demonstrate it meets the criteria specified in Minnesota Statutes as grounds for disciplinary action.

When you have thoroughly stated your complaint, a) sign and date the Complaint Registration form, b) sign, date and return the Medical Records Waiver Authorization, c) sign, date and return the Authorization to Release Complaint, and d) mail Complaint Registration form and all applicable supporting documentation to this office at the address shown above.

COMPLAINT REGISTRATION

Name of Complainant

Name of Dietitian, Nutritionist or Person
Filing the Complaint Against

Address of Complainant

Address

City, State, Zip Code

City, State, Zip Code

Telephone Numbers

Telephone Number

Home () _____

() _____

Work () _____

Notice of Rights under the Minnesota Data Privacy Act:

I understand that I am not legally required to complete or return this form. It is offered so that the Board may properly and thoroughly evaluate and investigate this complaint and, if necessary, submit this information in any legal proceeding. Recognizing the Board's need to verify and, if necessary, legally pursue this complaint, I authorize the Board, its agents, and/or agents of the Attorney General's Office representing the Board to disclose this information to those whom they reasonably believe have a need to know.

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MEDICAL RECORDS WAIVER AUTHORIZATION **Authorization for Use and Disclosure of Protected Health Data**

To: Any Privacy Officer/Health Care Professional

Having been informed of my rights under the Minnesota Government Data Practices Act, I authorize you to furnish a copy of my records in your possession to, or allow those records to be inspected and/or copied by the Minnesota Board of Dietetics and Nutrition Practice, its agents, and agents of the Attorney General's office representing the Board and any other appropriate state or federal governmental agencies as allowed by law.

I further authorize you, as a health care professional, to testify without limitation as to any and all of your findings and/or treatment referred to in said records and authorize the Board to use the information you provide along with the records in any legal proceedings which may arise out of this matter.

I release you, the Minnesota Board of Dietetics and Nutrition Practice, its agents, and the agents of the Attorney General's office representing the Board from liability for so releasing said records or so testifying and waive any privileges afforded me by the law relating to the disclosure or introduction into evidence of health information.

I understand subsequent release of this information no longer being protected by the HIPAA Privacy Rule (45 Code of Federal Rules 164).

A photocopy of this form is as valid as the original. This authorization expires at the end of one year from the date of consent, unless expressly revoked in writing earlier; Revocation does not limit the Board's use of the information obtained prior to the date of revocation.

Signature

Printed name

Address

City/State/Zip

Date

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PRACTICE**

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AUTHORIZATION TO RELEASE COMPLAINT

Having been informed of my rights under the Government Data Practices Act, I
_____, hereby authorize the Minnesota Board of
Dietetics and Nutrition Practice, its agents, or the agents of the Office of the
Attorney General, to inform _____

(insert name of licensed dietitian, nutritionist or
unlicensed person you are filing the complaint against)

of my complaint, by providing this health care professional copies of my
complaint documents.

Signature of Complainant

Date

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Minnesota Statute Section 148.630 LICENSE REQUIRED.

(a) No person may engage in dietetics or nutrition practice unless the person is licensed as a dietitian or nutritionist by the board. No person may use the title "dietitian," "licensed dietitian," "nutritionist," "licensed nutritionist," or any occupational title using the word "dietitian" or "nutritionist" unless so licensed by the board, nor shall any person hold out as a dietitian or nutritionist unless so licensed.

Minnesota Statute Section 148.629 DENIAL, SUSPENSION, OR REVOCATION.

Subdivision 1. Grounds.

The board may refuse to renew or grant a license to, or may suspend, revoke, or restrict the license of an individual whom the board, after a hearing under the contested case provisions of chapter 14, determines:

- (1) is incompetent to engage in dietetic or nutrition practice, or is found to be engaged in dietetic or nutrition practice in a manner harmful or dangerous to a client or to the public;
- (2) has violated the rules of the board or the statutes the board is empowered to enforce;
- (3) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;
- (4) has knowingly made a false statement on a form required by the board for licensing or license renewal; or
- (5) has sold any dietary supplement product if the sale of that product resulted in financial benefit to the individual

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Duties of the Complaint Resolution Committee

The Complaint Resolution Committee (CRC) of the Board of Dietetics and Nutrition Practice is authorized by Minnesota Statutes, Chapter 214 and reviews complaints against licensees or unlicensed persons.

The CRC is comprised of two (or more) Board members. The Executive Director processes complaints submitted to the Board and refers them to the Committee, as appropriate.

1. If a complaint or other information obtained by the Board indicates a licensee or unlicensed person may have violated a statute or rule that it has the authority to enforce, the Committee may request medical records of the complainant, a written response to the allegations from the licensee or unlicensed person, refer the matter to the Attorney General's Office for investigation and/or may schedule a conference with the licensee to discuss the allegations. If a complaint indicates a person is unlicensed and engaging in dietetics and nutrition practice a cease and desist order may be issued.

2. If the licensee's response, the investigation and/or the conference discussion show that the licensee has violated a statute or rule enforced by the Board:

- a. the Committee may dismiss the matter if it determines that the licensee's conduct does not warrant corrective or disciplinary action;
- b. may attempt to resolve the matter with the licensee by an agreement for corrective action; or
- c. may negotiate a stipulation for disciplinary action which must be approved by the full Board to become effective.

If the Committee believes the licensee's conduct warrants disciplinary action and it is unable to resolve the matter with the licensee, the Committee will initiate a disciplinary proceeding against the licensee in accordance with the Minnesota Administrative Procedure Act.

**Minnesota Board of Dietetics and Nutrition Practice
Complaint Resolution Process**

