

Kansas Administrative Regulations

Department of Health and Environment

Article 59.—Dietitian

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 that 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;
- (k) failing to notify the department of any disciplinary action or limitation, restriction, or revocation of an individual's license, or of termination or suspension of employment in a dietetic practice for some form of misfeasance, malfeasance, or nonfeasance;
- (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 service or for 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 fee 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 principles 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 and implementing K.S.A. 1999 Supp. 65-5911(a)(2); effective Feb. 18, 1991; amended March 16, 2001.)

***** Authenticated Kansas Administrative Regulation *****