



The Academy of Nutrition and Dietetics and Commission on Dietetic Registration Disciplinary and Ethics Complaints Process



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WHEN PRACTITIONERS uphold a set of values established to ensure professionalism with clients, colleagues, and the public, they are held accountable to the ethical standards of their profession's culture. A code of ethics is a formal document that describes specific rules of ethical conduct for all individuals of that profession.¹ The Academy of Nutrition and Dietetics (Academy) and its credentialing agency, the Commission on Dietetic Registration (CDR), developed its professional Code of Ethics (Code) to guide nutrition and dietetics practitioners in their daily practice, particularly when they are faced with an ethical dilemma, which may be defined as a decision-making predicament involving multiple responses or actions that may contradict personal or professional values.^{2,3}

This article describes two kinds of ethical codes: aspirational codes of

ethics and enforceable codes of ethics. The Academy/CDR Code of Ethics for the Nutrition and Dietetics Profession, most recently updated and approved in 2018, is an enforceable code that applies to all credentialed practitioners and all Academy members, credentialed or otherwise. The means by which this code is enforced, the Disciplinary and Ethics Complaints Policy, has also been updated, and was specifically designed to be a "fair system to deal with complaints about members and credentialed practitioners from peers or the public."⁴ Recognizing the value and scope of the Code promotes and stimulates ethical behavior by members and credentialed practitioners, discourages professional misconduct, and strengthens the Academy's credibility. The Disciplinary and Ethics Complaints Policy is provided in its entirety for review and future reference.

TYPES OF PROFESSIONAL CODES

A code of ethics for members of a profession is intended to "instigate, encourage and nurture ethical behavior and prevent professional misconduct, including [the areas of] research and publication."⁵ For members of the Academy and credentialed practitioners, the Academy/CDR Code reflects core values and ethical principles guiding the nutrition and dietetics profession and sets forth practitioner commitments to the public, clients, the profession, colleagues, and other professionals.

Professional codes of ethics generally fall into one of two categories: aspirational or enforceable, although many contemporary codes of conduct feature elements of both categories.

Aspirational codes are designed to suggest best or desired practices. The

Ethics and Compliance Initiative—a leading ethics and compliance research and best practices group representing more than 450 organizations across all industries—defines aspirational codes as standards that express a "strong desire to achieve something high or great. An aspirational code would be intended to reach a higher standard of 'doing what is right.'"⁶ Professional codes that are aspirational in nature typically feature wording such as "strive to," "attempt to," "endeavor to," or "seek," when describing appropriate professional behavior.⁶ While aspirational codes of ethics outline high levels of professional respect and service for publics served, these types of codes are not designed to be enforced.

Enforceable codes of ethics, on the other hand, include a "detailed set of rules to govern professional conduct and serve as a basis for settling grievances either between members and/or nonmembers."⁷

Enforceable codes of ethics are the strongest type. Enforceable codes have the capability of penalizing violations if deemed of sufficient magnitude to warrant professional sanction. These codes contain various forms of reprimand and other consequences if breached by its members. Without such provisions, the code would have no direct capacity to impact the profession's ability to hold itself and its members accountable to high standards of professional behavior.

Disciplinary and Ethics Complaints Policy

The Academy and CDR have established a fair system to address Code violations. If a practitioner to whom the Academy/CDR Code applies is unwilling or unable to adhere to the Code, a complaint should be submitted to the

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Academy/CDR Disciplinary & Ethics Complaints Policy*

INTRODUCTION AND APPLICABILITY

Information regarding the complaint process will be available to the public via the Commission on Dietetic Registration (CDR or the Commission) and Academy of Nutrition and Dietetics (Academy) websites and in other published documents. A complete copy of this policy is posted to the CDR and Academy web sites and is made available to any individual upon request.

In order to ensure fairness in the administration of testing and to maintain and enhance the credibility of the CDR certification programs and of Academy members, the Commission and the Academy have adopted the following administrative procedures to allow individuals to bring forth issues or complaints concerning the conduct of a CDR certificant and/or an Academy member to the Commission and the Academy.

This Code of Ethics applies to all Academy members and to all CDR credentialed practitioners, as described below:

- All members of the Academy who are credentialed by CDR
- All members of the Academy who are not credentialed by CDR
- All CDR credentialed practitioners, whether or not they are members of the Academy

In the event a certificant or Academy member violates the CDR certification rules, requirements, and/or policies, the Commission may refer the case to the Academy/CDR Ethics Committee.

GROUNDS FOR CORRECTIVE ACTION

The grounds for corrective action under these procedures may include but are not necessarily limited to:

- Violation of any principles of the Academy/CDR Code of Ethics for the Nutrition and Dietetics Profession;
- Any restrictions, such as revocation, suspension, probation, or other sanctions of the individual's professional credential, where applicable;
- Violation of established CDR and/or Academy rules, requirements, and/or policies;
- Conviction of a felony or other crime of moral turpitude under federal or state law in a matter related to the practice of nutrition and dietetics, or qualifications for, services provided by CDR certificants or Academy members;
- Gross negligence, willful misconduct, or other unethical conduct in the performance of services for which the individual has achieved CDR certification and/or Academy membership;
- Fraud, falsification, or misrepresentation in an initial application or renewal application for certification and/or Academy membership;
- Falsification of any material information requested by CDR and/or the Academy;
- Misrepresentation of CDR certification and/or Academy membership status, including abuse of logo; and
- Cheating on any certification examination

Actions taken under this policy do not constitute enforcement of the law. Individuals initially bringing complaints are not entitled to any relief or damages by virtue of this process, although they shall receive notice of the actions taken.

COMPLAINT SUBMISSION AND REVIEW

Ethics Committee

A three (3)-person committee, comprising members of the Academy of Nutrition and Dietetics and the Commission on Dietetic Registration credentialed practitioners, will be appointed to handle all ethics matters. One person will be appointed each year by the President-elect of the Academy of Nutrition and Dietetics, the Chair of the Commission on Dietetic Registration, or the Speaker-elect of the House of Delegates (based on the expired term). The committee Terms of office will be for three (3) years. Terms will be staggered to allow for continuity and to ensure that there is always a representative of the House of Delegates, Board of Directors and the Commission on Dietetic Registration on the committee.

The Committee shall have authority to consult with subject experts as necessary to conduct its business. The Committee may perform such other educational activities as might be necessary to assist members and credentialed practitioners to understand the Code of Ethics.

Ethics Cases

Preamble. The ethics complaint procedures are intended to permit a fair resolution of disputes on ethical practices in a manner that protects the rights of individuals while promoting understanding and ethical practice. The Ethics Committee (Committee) has the authority and flexibility to determine the best way to address violations of the Code of Ethics, including educational means where appropriate.

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