

House Bill 11

By: Representatives Schofield of the 63rd, Scott of the 76th, Davis of the 87th, and Jackson of the 68th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to
2 regulation and construction of hospitals and other health care facilities, so as to provide for
3 sufficient staff for carrying out food and nutrition services at a long-term care facility; to
4 provide for definitions; to provide for the employment of a licensed dietitian; to provide for
5 the designation and qualifications of a director of food and nutrition services; to provide for
6 sufficient support personnel; to provide for rules and regulations; to provide for related
7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation and
11 construction of hospitals and other health care facilities, is amended by adding a new Code
12 section to read as follows:

13 "31-7-12.9.

14 (a) As used in this Code section, the term:

15 (1) 'Certified dietary manager' means a food service professional who has satisfied
16 credentialing requirements to work as a dietary manager, including, but not limited to,
17 coursework, work experience, and passing a nationally recognized credentialing exam.

18 (2) 'Certified food service manager' means a food service professional who has satisfied
19 credentialing requirements to work as a food service manager, including, but not limited
20 to, coursework, work experience, and passing a nationally recognized credentialing exam.

21 (3) 'Licensed dietitian' means a dietitian licensed under Chapter 11A of Title 43.

22 (4) 'Long-term care facility' means a skilled nursing home, intermediate care home,
23 personal care home, assisted living community, community living arrangement, or
24 inpatient hospice facility licensed or permitted to operate pursuant to this chapter.

25 (b) A long-term care facility shall employ sufficient staff with the appropriate
26 competencies and skill sets to carry out the functions of food and nutrition services, taking
27 into consideration resident assessments, individual plans of care, and the number, acuity,
28 and diagnoses of such facility's resident population.

29 (c) A long-term care facility shall employ a licensed dietitian on a full-time, part-time, or
30 consultant basis; provided, however, that, if such facility does not employ a licensed
31 dietitian on a full-time basis, such facility shall designate an individual to serve as the
32 director of food and nutrition services; provided, further, that such individual shall:

33 (1) Satisfy at least one of the following qualifications:

34 (A) Be a certified dietary manager;

35 (B) Be a certified food service manager;

36 (C) Have a similar national certification for food service management and safety from
37 a national certifying body;

38 (D) Have an associate's or higher degree in food service management or in hospitality
39 from an accredited institution of higher learning, provided that the coursework for such
40 degree includes food service or restaurant management; or

- 41 (E) Have two or more years of experience in the position of director of food and
42 nutrition services in a long-term care facility and have completed a course of study in
43 food safety and management, provided that such course of study includes topics integral
44 to managing dietary operations, including, but not limited to, foodborne illness,
45 sanitation procedures, and food purchasing or receiving; and
46 (2) Receive frequently scheduled consultations from a licensed dietitian.
47 (d) A long-term care facility shall provide sufficient support personnel to safely and
48 effectively carry out the functions of food and nutrition services.
49 (e) The department shall promulgate rules and regulations necessary to implement the
50 provisions of this Code section."

51

SECTION 2.

52 All laws and parts of laws in conflict with this Act are repealed.