Case Study #1: A registered dietitian nutritionist (RDN) has just taken a position as part of a treatment team in an ambulatory care setting. After several sessions, one of the clients he is counseling for obesity management discloses that she is being physically abused by her spouse and feels depressed. After this revelation, the RDN encourages the client to continue the nutrition counseling sessions so that he might better understand the relationship between her domestic situation/psychological state and weight issues. During a regular treatment team meeting, the RDN reports on the client and is questioned by one of the team members about why he did not refer the client to the mental health professional. What should the RDN and the team member do in this situation?

Questions for Discussion

Is the situation described an ethical issue? Or is it a business dispute? It is an ethical issue.

What principle(s) of the Code of Ethics does it relate to and how/why?

Indicate the Category for the Code of Ethics: Responsibilities to Clients.

Indicate the Principle(s) of the Code of Ethics: Principle #8 - The dietetics practitioner recognizes and exercises professional judgment within the limits of his/her qualifications and collaborates with others, seeks counsel, or makes referrals as appropriate.

Explain how/why this relates to the Category and Principle: This principle relates to the Academy value of social responsibility. It also relates to the RDN’s ability to recognize the difference between medical nutrition therapy and psychotherapy; scopes of practice of a RDN and a mental health professional; and, indicators of the need to refer a client to a mental health professional.

Key Points to Consider:

- RDNs must differentiate between client problems that are within their professional scope, such as issues related to food, eating patterns, and weight, and those that are beyond the scope of nutrition practice, such as suicidal tendencies, physical abuse, severe marital difficulties, depressed affect, past or unresolved sexual abuse, and other mental or physical health problems.
- RDNs should read, understand, and periodically review the policies and procedures of the ambulatory practice setting regarding treatment and management of clients with various issues, and especially those who require a team approach to treatment.
- RDNs should understand the roles of each treatment team member, their own role on the team and the source of the referral.
- The individual RDN could meet with his direct supervisor, if available, or (most preferably) he could go directly to the treatment team for advice.
- RDNs must engage in continual self-reflection and evaluation of their professional roles, reassess interactions with clients, and recognize that each client and each setting requires a different approach to counseling.
- This scenario has important implications for academic programs, especially their role in educating students on scope of practice issues and the regulations of state licensure laws.
- To expand his scope of practice in this area, the RDN could take graduate coursework in counseling, participate in continuing education in the area of counseling, or complete a certification program in counseling. He would need to confirm with his supervisor/employer and appropriate others about the ability of this credential/credentials to make his eligible to provide mental health counseling to patients in this setting.
## Case Study #2: A Didactic Program in Dietetics (DPD) student, who is a student member of Academy, is in a computer lab at the university taking an online examination for one of his courses. The course syllabus specifically states that the exam is to be taken without the use of the textbook or class notes. One of the student’s classmates observes the student referring to the text and class notes while completing the online exam. What should be done in this situation?

### Questions for Discussion

**Is the situation described an ethical issue? Or, is it a business dispute?** It is an ethical issue.

**What principle(s) of the Code of Ethics does it relate to and how/why?**

**Indicate the Category for the Code of Ethics:** Fundamental Principles.

**Indicate the Principle(s) of the Code of Ethics:** Principle#1 - The dietetics practitioner conducts himself/herself with honesty, integrity and fairness.

**Explain how/why this relates to the Category and Principle:** This principle relates to the Academy value of integrity and addresses attributes that should characterize all professionals, including students who are preparing to become food and nutrition professionals.

### Key Points to Consider:

- The student is a member of the Academy and therefore must adhere to the Code of Ethics as a student member.
- The student needs to recognize that he/she is being dishonest and is cheating.
- The student may not view his behavior as violating ethical principles and the Code of Ethics.
- This situation points out the important role of faculty who need to review acceptable ethical behaviors in all classes and discuss consequences of professional misconduct, both during academic preparation and after graduation.
- This scenario points out the importance of putting the institution’s academic honesty policy in all course syllabi, reviewing the policy and consequences of violating the policy with students, and providing students with specific examples of dishonesty, such as cheating on online exams.
- Disciplining of a student would be based on the appropriate policies for the class, and/or institution and it would be appropriate to focus on the professional ethics as well. The student’s letters of recommendations could disclose this infraction and the action could jeopardize his/her ability to obtain a supervised practice experience.
- A student who is dishonest and cheats his/her way through the Didactic Program in Dietetics and Dietetic Internship (DI) programs, may not pass the RDN exam or could become an incompetent dietetics practitioner, possibly causing potential harm to the public and clients.
**Case Study #3:** An outpatient registered dietitian nutritionist (RDN) counsels clients with diet-related chronic diseases. The goal is for clients to change their dietary behaviors, manage their chronic diseases, and improve their health status. The RDN’s approach is to explain the rationale for the prescribed medical nutrition therapy and provide clients a written list of foods to include and exclude and tips for menu planning, grocery shopping, and food preparation. After several counseling sessions, one client expresses her dissatisfaction with her progress in making dietary changes. The client asks for help to develop a different plan. However, the RDN does not adjust her approach and continues to provide the same types of information. After several more appointments with the RDN, the client expresses her dissatisfaction with the counseling sessions to the director of nutrition services. What should the RDN and director do in this situation?

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<tr>
<td><strong>Is the situation described an ethical issue? Or, is it a business dispute?</strong> This is an ethical issue. This could be a business dispute since the RDN failed to deliver a quality service that met the client’s expectations. It could also be an employee policy dispute related to failure to meet minimum standards of performance when providing counseling services.</td>
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<tr>
<th>What principle(s) of the Code of Ethics does it relate to and how/why?</th>
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<td><strong>Indicate the Category for the Code of Ethics: Responsibilities to the Profession</strong></td>
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**Indicate the Principle(s) of the Code of Ethics:**
- Principle #12 - The dietetics practitioner practices dietetics based on evidence-based principles and current information.
- Principle #14 - The dietetics practitioner assumes a lifelong responsibility and accountability for personal competence in practice, consistent with accepted professional standards, continually striving to increase professional knowledge and skills and to apply them in practice.

**Explain how/why this relates to the Category and Principle:** These principles relate to the Academy values of integrity and social responsibility and the dietitian’s obligation to maintain personal competence in practice and to provide care based on the best available current evidence. The case reflects lack of self-evaluation and lack of knowledge and application of counseling theories and strategies that are current and evidence-based.

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<td>- The RDN needs to differentiate between nutrition education and nutrition counseling and recognize that providing information and advice alone do not lead to behavior change. Also, the RDN needs to recognize that each client has unique needs and ways of achieving success.</td>
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<td>- The RDN should engage in self-reflection and evaluation and recognize when he/she is ineffective as a nutrition practitioner.</td>
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<td>- The RDN should seek out opportunities to improve his/her counseling skills through continuing education, academic coursework and/or certification programs.</td>
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<td>- If the RDN is not making progress with the client after a period of time, he/she should refer the client to another RDN counselor.</td>
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<td>- The director of nutrition services should have departmental policies and procedures that address standards and expectations for counseling services.</td>
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<tr>
<td>- The director of nutrition services should adequately supervise and evaluate the RDN staff to be sure they are using current practices based on evidence-based information and, if not, make suggestions for improvement.</td>
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Case Study #4: A faculty member (PhD, RDN) asks a graduate doctoral student (Academy RDN member) to assist with a paper she is writing. She asks the graduate student to update the paper’s literature review, add additional data to the analysis and do a draft revision to the results section based on the additional data. The primary author prepares the discussion and methods section. The graduate student decides to discuss this with a junior faculty person and with her encouragement; she asks to be listed on the paper as an author. The primary author replies no and states that student contributions to a paper do not merit an author byline. The PhD, RDN agrees to an acknowledgement. The student feels compromised as he/she cannot refuse to do the work and must accept the professor’s decision. The junior faculty member agreed with the student and also felt she could not address her colleague on the issue. When the article is published in *Journal of the Academy of Nutrition and Dietetics*, the student is highly disappointed and reflects on this compromising situation as a very unpleasant professional encounter early in her academic career.

Questions for Discussion

Is the situation described an ethical issue? Or, is it a business dispute? It is an ethical issue, not a business dispute.

What principle(s) of the Code of Ethics does it relate to and how/why?

Indicate the Category for the Code of Ethics: Fundamental Principles and Colleagues and other professionals.

Indicate the Principle(s) of the Code of Ethics:
Principle #1 - The dietetics practitioner conducts himself/herself with honesty, integrity, and fairness.
Principle #19 - The dietetics practitioner demonstrates respect for the values, rights, knowledge and skills of colleagues and other professionals.

Explain how/why this relates to the Category and Principle: All RDNs are accountable for adhering to the Code of Ethics including professional writing in an area of dietetics practice.

Key Points to Consider:

- Authorship guidelines are published by journals and need to be reviewed and adhered by all individuals involved in the process.
- Collaboration on the dissemination of the research is necessary.
- Issues of honesty and fairness are key components in collaborative authorship.
- Addressing issues of authorship when collaborating with other RDNs should be incorporated into the initial discussions of a research publication. In this situation, the graduate doctoral student and senior faculty member should have discussed the issue of authorship and/or acknowledgment of contribution at the time that the assignment was made. To avoid similar situations in the future, the institution should establish clear expectations and policies for research authorship. And these policies should be clearly explained and followed by all the faculty and graduate students. Junior faculty and senior faculty should provide consistent interpretations of the policies.
- It is important that misleading and inappropriate educational/academic practices should be avoided.
- Although difficult, it might be beneficial for the student to discuss this issue through the appropriate institutional processes.
Case Study #5: A pharmaceutical company developed a product that promotes post-operative wound healing. Recent research shows the product promotes muscle growth, and the company decides to market the product to cancer patients and their caregivers in an infomercial. The company wants an RDN to support the product in the infomercial and asks for the support of the clinical nutrition/manager in a large medical center, which currently uses the product and has been a long time customer. The clinical nutrition manager agrees and asks the facility’s oncology dietitian to represent the hospital and speak in favor of the product in the infomercial.

Questions for Discussion

Is the situation described an ethical issue? Or, is it a business dispute? It is an ethical issue. It may be an employer issue if the RDN is uncomfortable with the request or if the clinical nutrition manager is endorsing a product without the organization’s approval.

What principle(s) of the Code of Ethics does it relate to and how/why?

Indicate the Category for the Code of Ethics: Responsibilities to the Public.

Indicate the Principle(s) of the Code of Ethics:
- Principle #3 - The dietetic practitioner considers the health, safety and welfare of the public at all times.
- Principle #6 - The dietetics practitioner does not engage in false or misleading practices or communications.

Explain how/why this relates to the Category and Principle:
The situation involves mass media communication as a means to promote the use of a product that was designed for specific medical conditions to the public. This relates to the Academy value of integrity.

Key Points to Consider:
- Does scientific evidence exists to support the use of this product in a patient population (e.g., oncology patients)?
- The clinical nutrition manager should determine if he is authorized to accept the company’s offer on behalf of the medical center.
- The individual RDN should not feel pressured to accept this role if she is uncomfortable doing so.
- The oncology RDN may sense a threat that her relationship with the clinical nutrition manager is in jeopardy if he does not cooperate.
- If the RDN is convinced that enough scientific evidence exists to support the use of this product in oncology patients, how much control will she have over the delivery of the message (“script”) to ensure the message is not delivered in a false or misleading manner?
### Case Study #6:
An RDN colleague voices his opinion about organic versus conventional produce on several occasions. During an outpatient counseling session, you overhear this colleague strongly encouraging a client to use only organic produce, over the client’s protest that organic produce is either unavailable or extremely expensive in her nearby grocery store. As the conversation evolves, the RDN suggests that the client purchase small amounts of produce so that the family budget will allow purchase of organic varieties.

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<td>Explain how/why this relates to the Category and Principle:</td>
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### Key Points to Consider:
- Current scientific evidence supports increased consumption of fruits and vegetables to decrease chronic disease risk; it does not specify that these foods must be organic.
- An RDN or DTR has a right to his/her opinion, such as the personal preference to select organic foods for use at home.
- RDNs and DTRs must allow clients to make informed decisions. The RDN’s behavior may be considered disrespectful, since the client voiced legitimate concerns (e.g. cost and availability).
**Case Study #7:** A 45-year old man was referred to the Lipid Disorders Clinic because of a plasma triglyceride level of 16,000 mg/dL. His physician had prescribed medical nutrition therapy (MNT) consisting of a diet with 10% of the calories from fat. When the RDN asked the patient about his motivation for making changes in his eating or exercise habits, he replied, “Exactly zero!” The RDN responded, “Then we have nothing to talk about.” He replied, “What do you mean?” The patient and the RDN then had a 30-minute conversation. The patient set a goal to order Big Macs (29 grams fat) instead of the Bacon Ultimate Cheeseburgers (77 grams fat). This goal was not in keeping with a 10% fat diet. At the end of the session, the RDN gave the patient an analysis of his eating habits, his goal sheet, practical information about the 10% fat diet, and a return appointment.

### Questions for Discussion

Is the situation described an ethical issue? Or, is it a business dispute? This situation may or may not be ethical issue—after all, the RDN did help the patient verbalize the desire to make changes toward the desired MNT goal even though he was not achieving the goal itself. The case did not state whether there were other components to the treatment plan, such as drug therapy. It could also be a business dispute because the patient and RDN agreed that the patient would change only one behavior.

What principle(s) of the Code of Ethics does it relate to and how/why?

**Indicate the Category for the Code of Ethics:** Responsibilities to Clients.

**Indicate the Principle(s) of the Code of Ethics:**
Principle #9 - The dietetics practitioner treats clients and patients with respect and consideration.
Principle #9b - The dietetics practitioner respects the client’s right to make decisions regarding the recommended plan of care, including consent, modification, or refusal.

**Explain how/why this relates to the Category and Principle:** The principle relates to the Academy value of social responsibility.

### Key Points to Consider:

- This could be an ethical issue because the RDN accepted a patient goal not consistent with the physician’s MNT prescription for a 10% fat diet. Regardless of the need for the patient to eat as little fat as possible in order to reduce his plasma triglycerides to a safer level, it was essential for the dietitian to meet the patient “where he was.”
- The fact that she respected and accepted the client’s goal, admittedly not in keeping with his diet prescription, may have encouraged him to consider future goals consistent with a 10% fat diet.
- The RDN should document the approach taken and communicate with the physician about the specifics of the interaction.
Case Study #8: A registered dietitian nutritionist (RDN) in a state with a voluntary licensure law (title act with no scope of practice) opted to become licensed. She later failed to renew her license but continued to use the LD credential. The executive secretary of the licensure board became aware of the violation and reported it to the board members. A committee, appointed by the board chair to investigate, determined that the RDN had, in fact, filed a renewal application, but it was returned because of missing information. The RDN mistakenly thought she had sent in the missing information. During this same period, she moved and the mailing disappeared. Choosing not to discipline the RDN, the licensure board instead decided to educate her about potential consequences related to the violation and reinstate her license after she provided the missing information.

Questions for Discussion

Is the situation described an ethical issue? Or, is it a legal issue? This is an ethical issue. It is also a legal issue as title protection statutes and regulations have the force and effect of laws.

What principle(s) of the Code of Ethics does it relate to and how/why?

Indicate the Category for the Code of Ethics: Responsibility to the Public.

Indicate the Principle(s) of the Code of Ethics: Principle #4 - The dietetics practitioner complies with all laws and regulations applicable or related to the profession or to the practitioner’s ethical obligations as described in this Code. Principle #4c - The dietetics practitioner must not commit an act of misfeasance of malfeasance that is directly related to the practice of the profession as determined by a court of competent jurisdiction, a licensing board, or an agency of a governmental body.

Explain how/why this relates to the Category and Principle: This principle relates to the responsibility of each licensed and credentialed practitioner to maintain current licensure status with the state and national agencies responsible for ensuring the protection of the public and to comply with title protection statutes and regulations.

Key Points to Consider:

- The licensure board could have disciplined the RDN, which would then have been reported to the Academy’s Ethics Committee. Because the lapse in licensure was determined to be unintentional and was of short duration, the licensure board opted to inform the RDN of the potential legal consequences that could occur if she referred to herself as a LD when she was not a LD.
- The RDN put her facility in violation of Centers for Medicaid & Medicare (CMS) rules for which the facility could have been fined. CMS facility rules specify that licensure or certification must be current for all employees. Therefore, all RDNs working in facilities, whether or not they provide Medicare MNT are affected.
- In this case, licensure is voluntary, but since the RDN applied for licensure and accepted the regulations for use of the credential, it was her responsibility to ensure that her licensure/certification credential was current and active, or otherwise to retire the credential.
**Case Study #9:** An out-patient registered dietitian nutritionist (RDN) also consults part-time with worksite wellness programs. Weight management guidance has become a major part of her practice. She recognizes that having the CDR Weight Management Certification would be useful, but cannot afford the cost and has no support from her employer. A friend who represents a company that makes and sells weight loss products suggests that the firm would fund her enrollment fees and travel expenses to the course in exchange for her meeting with their team to learn more about their products. Currently, she does not endorse any products and is generally against such products.

**Questions for Discussion**

**Is the situation described an ethical issue? Or, is it a business dispute?** The situation has a strong potential for a Conflict of Interest (Real or Perceived) and a violation of the Academy’s Code of Ethics.

**What principle(s) of the Code of Ethics does it relate to and how/why?**

**Indicate the Category for the Code of Ethics:*** The potential is in place for Responsibilities of the Profession.

**Indicate the Principle(s) of the Code of Ethics:**

Principle #18 - The dietetics practitioner does not invite, accept or offer gifts, monetary incentives, or other considerations that affect or reasonably give an appearance of affecting his/her professional judgment.

**Explain how/why this relates to the Category and Principle:** If one works for a company or is contracted as a consultant, a similar arrangement would not be an ethics issue. However, the RDN has placed herself in a position of being perceived to endorse the company supporting the trip based on the suggestion from a friend who works for the company.

**Key Points to Consider:**

- Is this likely to affect the viewpoint of the RDN toward the products?
- What are the companies’ reasons for offering this “gift”?
- Serving as a consultant to the company is often perceived to imply you ascribe value to their product and therefore, if it occurs, it should be disclosed at all appropriate times and places (e.g., speaking engagements, submitted articles, blogs, websites, etc.).
- Conducting an in-service to the company’s staff within the boundaries of science, licensure and business practice is acceptable and part of the role of a consultant and should be clearly stated. Evaluating the products before accepting funding for the trip is essential.
- It important that the RDN discuss her perspective on promotion of products with the company.
- Are there other funding options for her to attend and obtain this certification?
**Case Study #10:** A dietetic technician, registered (DTR) who works for a supermarket chain is invited to attend a 2-day CE-approved seminar, “From Farm to Table”, offered by a not-for-profit industry support group that represents and is funded by growers and producers of dairy products, fruits, vegetables, meat and grains. The location is a resort in a part of the country that is known for growing/producing the commodities featured. The seminar agenda includes visits to farms, producers and a food processing plant; presentations by researchers and marketing staff; and a culinary demonstration. The processing plant is the headquarters of a company that produces a nationally known and also store brands. The DTR’s transportation, lodging, meals, and registration fee are paid by the support group.

### Questions for Discussion

**Is the situation described an ethical issue? Or, is it a business dispute?** It is an ethical issue.

**What principle(s) of the Code of Ethics does it relate to and how/why?**

**Indicate the Category for the Code of Ethics:** Fundamental Principles and Responsibilities of the Profession.

**Indicate the Principle(s) of the Code of Ethics:**

Principle #1 - The dietetics practitioner conducts himself/herself with honesty, integrity, and fairness.

Principle #18 - The dietetics practitioner does not invite, accept or offer gifts, monetary incentives, or other considerations that affect or reasonably give an appearance of affecting his/her professional judgment.

**Explain how/why this relates to the Category and Principle:** This DTR may make recommendations for products as part of his employment responsibilities.

### Key Points to Consider:

- The DTR should discuss the invitation with his employer and achieve clarity about conflict of interest and ethics/compliance policies.
- If the program meets the DTR’s development goals/performance objectives, he might attend if either he or his employer completely funds his attendance.
- The DTR should investigate the commodity group including their mission and funding. If the rationale for the program, mission statements of the funders, or funding disclosures are unclear, he should not attend.
Case Study #11: A university professor who teaches medical nutrition therapy is unable to purchase specific supplies related to diabetes management due to budget limitations. The professor approaches the local representative of a pharmaceutical company to see if these supplies could be provided at no cost to the university. The items needed are glucose testing supplies including meters, samples of supplements for persons with diabetes, and a computer program. The amounts of supplies requested are sufficient for use in MNT classes and at the school’s health fairs conducted for its employees and the community.

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<tr>
<td>Indicate the Principle(s) of the Code of Ethics:</td>
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<td>Principle #15 - the dietetics practitioner is alert to the occurrence of a real or potential conflict of interest and takes appropriate action whenever a conflict arises</td>
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<tr>
<td>Principle #18 - The dietetics practitioner does not invite, accept or offer gifts, monetary incentives, or other considerations that affect or reasonably give an appearance of affecting his/her professional judgment.</td>
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<tr>
<td>Explain how/why this relates to the Category and Principle: The perception of product endorsement arises when only one product is featured. It would be important to know if there were expectations associated with the samples and how the use of those was presented.</td>
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Key Points to Consider:
- Review, understand and follow the university’s policy related to the acceptance and use of branded samples for instructional use.
- Seek samples and other support from more than one source, if consistent with department policy.
- Document expectations and limitations of the gift with the pharmaceutical representative.
- Weigh the use of the samples. The manner in which the donated samples are used and presented must be considered to eliminate the appearance of endorsement and / or gain from use of these.
### Case Study #12
A client fails to pay for the final session of a private practice appointment ($150 outstanding). The registered dietitian nutritionist (RDN) sends three invoices and leaves three voicemail messages. The client’s credit card number is on file. The RDN does not have authorization to use the credit card for this specific payment and still is considering use of the credit card to settle the charge.

### Questions for Discussion

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<tr>
<td>It is both an ethical issue and a business dispute. To prevent disputes, providers must give clients clear, written information about billing and payment practices prior to initiation of services. If the RDN charged the card for the service, it would be both an ethical and legal issue, as well as a business dispute.</td>
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### What principle(s) of the Code of Ethics does it relate to and how/why?

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<tr>
<td>Although the RDN can fairly expect to be paid for services rendered, the client did not authorize this particular charge. Using the credit card to charge for services rendered with authorization would be dishonest and breach the RDN’s integrity.</td>
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### Key Points to Consider:

- The client owes $150 for service rendered, but did not sign any contract or authorization forms allowing the RDN to charge for those services.
- In the future, the RDN should obtain authorization for payment prior to rendering services.
- The RDN should disclose billing policies prior to or during the initial appointment.
**Case Study #13:** A registered dietitian nutritionist (RDN) discovers misinformation posted by an RDN on a blog; the blogger’s posting is not in agreement with a non-government organization’s (NGO) recommendations and current scientific evidence. The RDN reader is familiar with the topic because he consults for a food company that relies on the NGO’s information to support their brand messages. The RDN reader knows that the blogger is incorrect and perpetuating myths, and also worries that it could also be considered a conflict of interest for the RDN reader to correct the blogger on the site.

### Questions for Discussion

**Is the situation described an ethical issue? Or, is it a business dispute?** It is an ethical issue.

**What principle(s) of the Code of Ethics does it relate to and how/why?**

**Indicate the Category for the Code of Ethics:** Responsibility to the Public; and, Responsibility to the Profession.

**Indicate the Principle(s) of the Code of Ethics:**
- Principle #3 - The dietetics practitioner considers the health, safety and welfare of the public at all times.
- Principle #6 - The dietetics practitioner does not engage in false or misleading practices or communications.
- Principle #12 - The dietetics practitioner practices dietetics based on evidence-based principles and current information.
- Principle #13 - The dietetics practitioner presents reliable and substantiated information and interprets controversial information without personal bias, recognizing that legitimate differences of opinion exist.

**Explain how/why this relates to the Category and Principle:**

The RDN blogger is providing misinformation. The RDN reader may have a conflict of interest in that he benefits from correcting the information.

### Key Points to Consider:

- Is the RDN blogger expressing his personal opinion or providing professional advice/knowledge?
- Is the research discussed conclusive?
- What do the non-government and professional health organizations (e.g., Academy) recommend?
- The RDN reader should disclose his relationship with the food industry and assure that industry is comfortable with him speaking on their behalf.
Case Study #14: A hospital nutrition committee is considering implementing a perioperative immunonutrition protocol for GI cancer patients to improve outcomes. The RDN obtains several articles on immunonutrition from the hospital’s medical library to examine the evidence supporting the recommended protocol. To facilitate the committee’s discussion, the RDN copies and distributes the articles to the committee members for review prior to the committee meeting.

**Questions for Discussion**

**Is the situation described an ethical issue? Or, is it a business dispute?** It is an ethical as well as a legal issue.

**What principle(s) of the Code of Ethics does it relate to and how/why?** The Code of Ethics does not specifically address this issue. However, it could be considered under general principles of honesty and fairness.

**Indicate the Category for the Code of Ethics:** Fundamental Principles (Principle #1)

**Indicate the Principle(s) of the Code of Ethics:**
Principle #1: The dietetics practitioner conducts himself/herself with honesty, integrity, and fairness.

**Explain how/why this relates to the Category and Principle**
If the RDN violated the publisher’s copyright, even inadvertently, the actions would be dishonest and not fair to the owner of the copyright.

**Key Points to Consider:**
For Principle #1, consider the following points related to the case.

- This scenario describes a copyright issue, which is a legal issue. In this case, the hospital is a corporation and/or non-profit, and is not solely an educational institution; therefore, Fair Use guidelines that might allow a professor in a classroom to distribute the articles for educational use do not apply.
- If the hospital library subscribes to the resource (either print or online) and the committee members are all hospital employees (who presumably would be able to access the resource themselves directly anyway), then this kind of distribution may be acceptable.
- If the resource was obtained through Interlibrary Loan or from someone's personal copy, then this kind of use is very likely not acceptable, unless the RDN obtains explicit permission from the publisher. If the RDN wanted to be absolutely sure, he should ask the librarian to check the fine print of the contract with the publisher/vendor.
- Raising awareness is key, since many people using information do not consider copyright issues. In the past, copyright violations were clearer cut because resources were “paper” and were fully owned by the institutions that purchased them. In today's online environment, rights are not as clear cut and depend on the contracts between the publisher/vendor and the institution.
**Case Study #15:** A registered dietitian nutritionist (RDN) has constant refractory back pain and is using biofeedback, physical therapy, and pain medication to control it. The current level of pain medication prescribed by his physician, is at such a level that he has been advised not to drive for at least 4 hours after taking a dose. In addition, the side effects include drowsiness, shortening of attention span and memory. His current job requires office hours in 3 different sites each week and involves home visits to patients. The RDN believes the situation is under control by limiting his appointments to control drive time and home visits. In the past month, his dependence on the pain medication has increased and he has experienced more frequent side effects.

**Questions for Discussion**

Is the situation described an ethical issue? Or, is it a business dispute? This is a potential ethical issue. Personal responsibility to fulfill the needs of the employer and to provide service to the public.

What principle(s) of the Code of Ethics does it relate to and how/why?

Indicate the Category for the Code of Ethics: Responsibility to the Public.

Indicate the Principle(s) of the Code of Ethics:

Principle # 3 – The dietetics practitioner considers the health, safety and welfare of the public at all times.  

Principle#7 - The dietetics practitioner withdraws from professional practice when unable to fulfill his/her professional duties and responsibilities to clients and others.

**Explain how/why this relates to the Category and Principle:** If the side effects of the medication and other therapies and/or the condition compromise the ability of the RDN to travel safely and to be cognitively alert and capable, then there is definitely a threat to public safety and the inability to provide effective service to the client. In addition, it is possible that the RDN will fail to meet the expectations of the employer. The level of performance might deteriorate and be considered malpractice.

**Key Points to Consider:**

- Are the side effects of the medication causing a threat to the safety, health, and welfare of the public? Driving a vehicle in particular should be considered a potential threat.
- Is the RDN capable of performing the tasks associated with the job including travel, nutrition therapy, documentation, etc.?
- Does the therapy for the pain compromise or limit the RDN’s ability to perform the essential functions of the employment contract?
- What are the options available to the employee (RDN) through the policies of the Human Resources Department of the employer?
- Has the employer been made aware of the potential or real side effects of the therapies the RDN is experiencing?
- The encouragement or requirement that the RDN take medical leave or some other option for the protection of the ‘public’ (clients and employer and general public) should be considered.
- Is there a back-up plan for covering patients who need nutrition care?
- Does Human Resources know the issues and the potential liability of allowing the RDN to perform duties that may be unsafe?
- What is the risk of misuse of the medication and the potential damage?
- What can be done to “protect the public”?
- Possible disability requirements as it relates to the Americans with Disabilities Action should be discussed with the employee.
<table>
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<tr>
<th>Case Study #16:</th>
<th>A registered dietitian nutritionist (RDN) works in an outpatient care center. The client has a family history of diabetes and heart disease. He has been diagnosed with Type 2 diabetes which is under control with one oral medication, diet and exercise. In addition he is on a low dose medication for hypertension. He discloses he is pursuing complementary and alternative therapies and is seeking the RDN’s opinion on several supplements and therapies he is already taking. He would like information on some therapies he is thinking of using. The RDN is not familiar with these supplements or therapies and dismissed the comments.</th>
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<tbody>
<tr>
<td>Questions for Discussion</td>
<td>Is the situation described an ethical issue? Or, is it a business dispute? It is an ethical issue if the RDN gives an opinion about the supplements without adequate scientific knowledge of their benefits or side effects.</td>
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<tr>
<td>What principle(s) of the Code of Ethics does it relate to and how/why?</td>
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<tr>
<td>Indicate the Category for the Code of Ethics: Responsibilities to Clients.</td>
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<tr>
<td>Indicate the Principle(s) of the Code of Ethics:</td>
<td>Principle #8 - The dietetics practitioner recognizes and exercises professional judgment within the limits of his/her qualifications and collaborates with others, seeks counsel, or makes referrals as appropriate.</td>
</tr>
<tr>
<td>Explain how/why this relates to the Category and Principle:</td>
<td>Supplements and their interaction with drugs is an issue that requires specific knowledge. The fact that the client admits to already taking supplements is a trigger for more information.</td>
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<td>Key Points to Consider:</td>
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<tr>
<td>- Dismissing the request for an opinion without doing research or providing an appropriate referral, opens the door for harm to the client.</td>
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<tr>
<td>- Decisions of this type require assessment of the person’s family and health history (perhaps genetics), current medications and potential interactions, diet and activity. Risks will vary.</td>
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<tr>
<td>- Referral to an RDN familiar with complementary and alternative medicine, or at least a referral to legitimate Web sites, may be appropriate.</td>
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**Case Study #17:** A consultant registered dietitian nutritionist (RDN) has a worksite wellness account. The RDN’s usual programming includes group classes on basic nutrition, nutrition for those with diabetes, heart-healthy eating, and coping with food allergies. The RDN also provides personal coaching to the company’s employees. The RDN is approached by an employee who is training for marathons and has specific interests in sports nutrition, nutrition during training and pre-/post-event. Although the RDN is comfortable with the role of exercise and nutrition in basic health and general needs, competitive athletics is not an area of expertise.

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<td><strong>Is the situation described an ethical issue? Or, is it a business dispute?</strong> To decide on giving advice without adequate knowledge would be an ethical issue if the client believes you are an expert in sports nutrition.</td>
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<th>Explain how/why this relates to the Category and Principle:</th>
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<tr>
<td>Recommendations on fitness and activity for an elite athlete or someone seeking that distinction is, by nature of the case study, outside the limits of this practitioner’s expertise.</td>
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<td>• There is the potential to work with the client after disclosure of the RDN’s limitations and willingness to research the necessary information.</td>
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<tr>
<td>• Sports nutrition for the “elite athlete” is an area that is best addressed by a RDN with the appropriate certification/training. CDR offers a specialist certification in sports nutrition.</td>
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<tr>
<td>• How much time would it take to research the questions and seek counsel? From the business side, would it be a better decision for all to refer to another practitioner?</td>
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**Case Study #18:** A dietetic technician, registration (DTR) submitted the initial learning plan for his Professional Development Portfolio (PDP); however, nearing the end of this five-year certification period, he has not completed the required process. Although he attended meetings that offered continuing professional education (CPE), most of them were not applicable for his approved plan. He wishes to retain the credential as registration is a requirement to remain employed.

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<td><strong>Indicate the Category for the Code of Ethics:</strong> Responsibilities to the Profession.</td>
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**Indicate the Principle(s) of the Code of Ethics:** Principle #14 - The dietetics practitioner assumes a life-long responsibility and accountability for personal competence in practice, consistent with accepted professional standards, continually striving to increase professional knowledge and skills and to apply them in practice.

**Explain how/why this relates to the Category and Principle:** The Portfolio Process is built on self-assessment of educational needs to maintain personal competency to practice. Successfully completing the Portfolio Process is a personal responsibility.

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<td>• Does the submitted plan identify the knowledge and skills the DTR needs to maintain professional competency and reflect increasing professional knowledge and skills? Consider other available opportunities that meet identified needs (online, academic coursework, book or journal based articles, intensive seminars) within the time frame.</td>
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<tr>
<td>• Attempting to make CPE fit the learning plan is taking a risk that the CPE will not be approved, resulting in the potential loss of registration.</td>
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<tr>
<td>• Submitting CPE that was not completed is fraudulent and unethical. If audited, the DTR could potentially lose his registration.</td>
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<tr>
<td>• Review the reason for the portfolio process. Seek guidance from CDR.</td>
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**Case Study #19:** A group of registered dietitian nutritionists (RDN), who are friends and co-workers decided it would be easier (and less expensive) to meet continuing professional education (CPE) requirements as a group. They decide to create a plan with minor variations for each person to submit as their own. This, they rationalize, will streamline the process and in particular assist those who are uncertain about their personal development plans. They decide that participation in the CPE events will be rotated among the group members, with designated members taking responsibility for attending, taking detailed notes, taping speakers and duplicating handouts and CPE documentation. They view this as a form of “group -learning”, predicated on the idea that group members who did not attend will ask questions of those who did and study the handouts. Several of the group members ask if this is an ethical practice.

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<td><strong>Is the situation described an ethical issue?  Or, is it a business dispute?</strong> This is an ethical issue.</td>
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**What principle(s) of the Code of Ethics does it relate to and how/why?**

**Indicate the Category for the Code of Ethics:** Responsibilities to the Profession.

**Indicate the Principle(s) of the Code of Ethics:**
Principle #14 - The dietetics practitioner assumes a life-long responsibility and accountability for personal competence in practice, consistent with accepted professional standards, continually striving to increase professional knowledge and skills and to apply them in practice.

**Explain how/why this relates to the Category and Principle:** The Portfolio process is built on assessment and planning. It is a personal responsibility.

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<td>• Copying a group plan is unethical and violates the principle of assuring personal competence in practice. Planning for continuing education is an individual pursuit that must consider present and future needs for skill and knowledge development, experience, interest and professional responsibilities. CPE must assure and develop competencies of practice and reflect increasing professional knowledge and skills. It is clearly unethical to record attendance at a CPE event that the claimant did not attend.</td>
</tr>
<tr>
<td>• Some programs are preapproved for group sharing and discussion. The “share” plan created by this group is fraudulent and is definitely unethical.</td>
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<tr>
<td>• Practicality and convenience may be the perceived driver in this case. Nonetheless, the actions are unethical. All participants are liable and are placing themselves at risk of audit and action by the Ethics Committee.</td>
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**Case Study #20**: A skilled long-term facility patient with severe dementia tells a registered dietitian nutritionist (RDN) that she no longer wants to be fed via her gastrostomy feeding tube. She has no advanced directive. The resident’s daughter wants her mother to be fed. What is the RDN’s role in this situation and what should be done?

**Questions for Discussion**

**Is the situation described an ethical issue? Or, is it a business dispute?** It is an ethical and legal issue.

**What principle(s) of the Code of Ethics does it relate to and how/why?**

**Indicate the Category for the Code of Ethics:** Responsibilities to Clients; Responsibilities to the Profession.

**Indicate the Principle(s) of the Code of Ethics:**
- Principle #8 - The dietetics practitioner recognizes and exercises professional judgment within the limits of his/her qualifications and collaborates with others, seeks counsel, or makes referrals as appropriate.
- Principle #9 - The dietetics practitioner treats clients and patients with respect and consideration.
- Principle #12 - The dietetics practitioner practices dietetics based on evidence-based principles and current information.

**Explain how/why this relates to the Category and Principle:** The RDN must recognize and exercise their professional judgment when determining what is best for the client. Client and patient preferences must be balanced with scientific judgment and legal considerations.

**Key Points to Consider:**
- Decisions about end-of-life care should consider the concepts of autonomy, beneficence, capacity and competency, quality of life, substituted judgment, and social responsibility. RDNs who provide care for persons in long-term care or those facing end-of-life nutrition issues should be knowledgeable about these concepts. The Academy position paper on end-of-life care may be of assistance.
- Although the resident has diminished capacity, it is important to be respectful of her values and maintain her dignity.
- The RDN should inform the healthcare team about the resident’s comments as well as any previous discussions she may have had with the resident about feeding.
- The resident’s sense of quality of life, not the caregivers, is the central issue. With comfort and emotional well-being being the long term goal, rather than prolonging life, the RDN should promote care that increases the resident’s sense of quality of life; conversely, interventions that diminish comfort should be discouraged, if there were no discussions and no advance directives, the daughter may be the person designated to make decisions. State laws vary widely and should direct end-of-life decisions when applicable
- Consider referral to an ethics committee; the RDN should be an active participant on the committee, sharing her nutrition expertise.
- A discussion with the daughter about the probable futility or lack of benefit of the tube feeding needs to be addressed.
- Along with the healthcare team, the RD should encourage family members to make decisions that best incorporate the resident's values, recognizing that the decision to be made may not be the one they would make for themselves or for the patient using their own values. If the decision is made to continue feeding the patient and the RDN does not agree, she has a duty to transfer care to another RDN.
**Case Study #21:** A registered dietitian nutritionist (RDN) is eligible to have conference expenses paid by Academy. The RDN’s employer has previously agreed to cover meeting expenses. The RDN decides to file identical expense reports to each organization. The RDN rationalizes this by saying that the Academy expenses can be considered an “honorarium” for work done at the meeting. The RDN shares this information with a colleague RDN.

**Questions for Discussion**

Is the situation described an ethical issue? Or, is it a business dispute? The situation is an ethical issue.

What principle(s) of the Code of Ethics does it relate to and how/why?

*Indicate the Category for the Code of Ethics:* Fundamental Principles; Responsibilities to Colleagues and Other Professionals.

*Indicate the Principle(s) of the Code of Ethics:*

- Principle #1 - The dietetics practitioner conducts himself/herself with honesty, integrity and fairness.
- Principle #19 - The dietetics practitioner demonstrates respect for the values, rights, knowledge and skills of colleagues and other professionals.

*Explain how/why this relates to the Category and Principle:* The RDN and the colleague have a personal responsibility to act ethically with accountability.

**Key Points to Consider:**

- The ethical conduct of both individuals is called into question.
- The practitioner who decides to double-dip is violating Principle #1 by falsely claiming reimbursement for the same expenses from two sources. Regardless of the rationale, this practice is dishonest and may place the RDN at risk for legal action (since a signature attesting to the single submission of an expense claim is likely a part of any expense report submission). While RDNs cannot regulate the conduct of others, the colleague who hears about the situation should confront the individual and encourage the RDN to submit only one expense report.
- If the practitioner goes ahead with the submission, the RDN colleague should report the issue to the Academy and the place of employment.