

Feeling the weight: Nutrition pros fear they will be put out of business if bill passes in Legislature

By **Gabrielle Saulsbery**, October 29, 2018 at 3:00 AM - Last modified: October 31, 2018 at 11:27 AM



Nutritional therapy practitioner Sarah Otazo is concerned about a new bill outlawing dietary advice by non-dietitians. The bill threatens to put thousands out of work. - (AARON HOUSTON)

A series of personal health challenges inspired Sarah Otazo to take a hard look at the foods she was putting in her body.

Through adversity came discovery; three years ago, at age 50, the Montclair resident says she finally found her life's passion — to become a nutritional therapy practitioner.

Soon thereafter she took a 250-hour accreditation course through the **Nutritional Therapy Association**, which she completed.

But now a bill making its way through the Legislature could derail her career. If **Assembly Bill 1582** becomes law, it will make it illegal in New Jersey for anyone other than registered dietitians to dispense dietary advice.

To Otazo, losing her \$30,000 annual salary would be disastrous. And she's one of thousands of New Jerseyans that could be affected by the law which, according to Jonathan Posey, president of Washington, D.C.-based **Council of Holistic Health Educators**, would represent a loss of \$45 million in tax revenue to the state.

"I know people have had results by working with me and I can't conceive of that going away, of having the rug pulled out from under me," Otazo said.

Unlike a dietitian, she doesn't diagnose, treat or cure disease. In fact, she's adamant that that's not the purpose of an NTP and is beyond the scope of her practice. She instead helps clients meet health goals such as weight loss through tools like a food journal.

"By identifying and removing their dietary stressors and identifying and addressing their nutrient deficiencies, we can bring the body back into balance so symptoms are reduced and every cell is working better," Otazo explained.

But bill A-1582, whose primary sponsor is Assemblyman Herb Conaway, D-7th District, would prohibit her and any other person who gives diet advice as part of their profession — including nutritional therapy practitioners, CrossFit instructors and yoga teachers — from doing so without first gaining licensure under a State Board of Dietitians/Nutritionists the legislation would create.

To obtain the license, people such as Otazo would need to earn a bachelor's or master's degree and complete 1,200 hours under the supervision of a registered dietitian. Otherwise, she'll need to shut down her business.

According to CHHE's Posey, 85 percent of the 10,000 New Jersey practitioners who would need to do the same are women.

Jessica Groff fell in love with the field through health and fitness company **Beach Body**, which helped her to lose 35 pounds. Now she's helping others. She quit her job as a school teacher in June to become a full-time nutritionist, and is currently studying to attain a dual master's degree in holistic nutrition and health and wellness from the **American College for Health Care Sciences**, a nationally accredited distance-learning program.

But under the new law, her education would not be sufficient for her to give dietary advice.

"It would destroy my whole business," Groff said. "I've already spent thousands of dollars between my education and creating this business. I had to incorporate, I have business insurance, I've had advertising and marketing that I've paid for. I'd lose out on all of that. The master's degree program is going to be \$30,000 when all is said and done. We'd have to leave to a state where I can practice with a master's degree."

"This is not a decision [my husband and I] came to lightly," she continued. "Taking on \$30,000 of loan debt when you have two kids and a mortgage ... I did it because there's a need, but I also wanted to do it the right way," she said. "For [the Legislature] to pass this bill and say only RDs know what they're doing, that's a really narrow-minded approach."

According to Megan Squires, executive director of the **New Jersey Academy of Nutrition and Dietetics**, the purpose of the bill is consumer protection.

While some states have licensure and others just have specific regulations on scope of practice, New Jersey doesn't have any regulation of the field at all.

"Anyone can hang a shingle up and call themselves a nutritionist," she said. "If you tell someone with kidney disease they should be eating 200 grams of protein a day, you could put people in harm's way."

"I know people have had results by working with me and I can't conceive of that going away, of having the rug pulled out from under me."

- Sarah Otazo, nutritional therapy practitioner

Although providing general info is fine, weight-loss advice crosses a line, according to AJ Sabath, co-founder of Trenton-based **Advocacy Management Group**, which lobbies for the NJAND.

“Obesity is a disease state,” Sabath said. “If they’re providing medical nutrition therapy or nutritional guidance and info to treat different disease states, that’s something that would be prohibited [by the bill].”

According to Squires, the bill’s purpose was not to put anybody out of work. A grandfather clause allows those who have a bachelor’s degree in a related field and have been employed at least half-time as a dietitian or nutritionist for three of the last five years the opportunity to apply for licensure within one year of the bill’s passage.

The ultimate goal would be so that “people who have taken a weekend course in nutrition wouldn’t be able to call themselves a licensed nutritionist,” according to Squires.

When asked if she thought those in micro-accreditation programs should be precluded from giving diet advice, she said, “We don’t think that they should be able to call themselves nutritionists. Every registered dietitian is a nutritionist, but not every nutritionist is a registered dietitian. The public doesn’t know that.”

As for the various titles such as nutritional therapy practitioner, nutritional therapy consultant, certified nutrition therapy practitioner and master nutrition therapist, all of which are prohibited under the bill, Squires said, “All of those titles make it confusing to the public. We want title protection on those words so the public can be assured, if they see those terms, it’s someone who is qualified to give nutrition counseling.”

Ship Bottom-based wellness school **American Fitness Professionals & Associates** has been offering health and wellness coach certifications for more than 25 years. AFPA programs are approved for reimbursement as an education program under the GI Bill and to date, 115,000 people worldwide have gotten certified there.

According to AFPA President Mark Occhipinti, the programs are put together by medical doctors and when someone calls the AFPA for technical support, they’re greeted by a representative with a master’s degree and 25 years of experience in a wellness field.

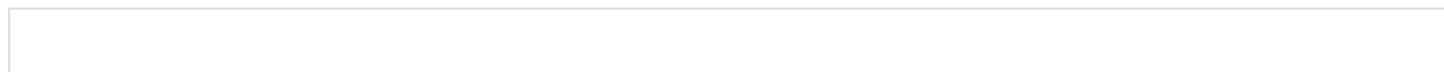
As the bill is currently written, AFPA certifications would no longer be legal to use in New Jersey.

However, the NJAND is open to sitting down with individuals and organizations that worry they will be put out of work by this legislation, according to Sabath.

“There are areas that might be grayer,” he said. “We’d be more than happy to sit down and talk about those. We don’t want to put anyone who’s qualified or educated out of work. The intention is to protect the public.”

You May Have Missed...

- **Easing burden of hair loss for cancer patients**
- **Hemp farming looms as budding NJ industry**
- **From tax cut to tax caught: How 2 NJ food industries are feeling effects of tariffs**
- **Some breweries feeling sting of new ABC rules**





Gabrielle Saulsbery

Albany, N.Y. native Gabrielle Saulsbery is a staff writer for NJBIZ and the newest thing in New Jersey. You can contact her at gsaulsbery@njbiz.com.

+ Leave a Comment

0 Comments
