

March 5, 2020

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RE: Indian Health Service Loan Repayment Program for Repayment of Health Professions Educational Loans, CFDA Number 93.164

The American Nutrition Association (ANA) submits the following comment requesting clarification of eligibility for the Indian Health Service (IHS) Loan Repayment Program and Public Health Nutritionist roles within the agency.

Background

The ANA's Board for Certification of Nutrition SpecialistsSM (BCNSSM) is the foremost certifying body for advanced nutrition professionals. BCNS' Certified Nutrition Specialist[®] (CNS[®]) certificants earn an advanced degree in nutrition or clinical healthcare, complete a robust nutrition science curriculum, perform 1000 hours of documented nutrition practice experience, and pass BCNS' rigorous Certification Examination for Certified Nutrition Specialists.

The CNS certification is fully accredited by the National Commission for Certifying Agencies, the preeminent accrediting organization for certifying programs, which is the same accreditation held by the Registered Dietitian (RD) credential. The CNS certification is also listed by the US Department of Labor as an advanced nutrition credential in the definition of the "Dietitians and Nutritionists" profession in the Occupational Outlook Handbook of the Bureau of Labor and Statistics.ⁱ

Like RDs, CNSs practice medical nutrition therapy and nutrition more broadly with patients and clients across the lifespan, working to restore or maintain optimal health. CNSs currently practice in 37 states, and this number grows every year as states modernize outdated restrictive licensure and practice laws.ⁱⁱ

Indian Health Service Loan Repayment Program

Currently, the statute governing the IHS Loan Repayment Program, 25 U.S.C. Sec. 1616a, specifies that the program is established "in order to assure an adequate supply of trained

health professionals necessary to maintain accreditation of, and provide health care services to Indians through, Indian health programs.”ⁱⁱⁱ

This statute sets out broad parameters regarding the eligibility of health professionals to participate in this program, including those “in an approved graduate training program in a health profession”^{iv} and those who “(B) have-- (i) a degree in a health profession; and (ii) a license to practice a health profession in a State”.^v

However, based on this announcement and known hiring practices within IHS, it is unclear whether this program allows for highly trained, graduate-educated nutritionists like Certified Nutrition Specialists who meet one of the above qualifications to apply. The announcement posted in the February 21, 2020 register lists “Registered Dietician--BS” as a priority health profession for which there is a need or vacancy. Given that “Registered Dietitian,” holding a BS degree, refers to a single subset of nutrition professionals, it is unclear whether nutritionists meeting other, even more advanced qualifications are eligible to apply. CNSs hold master’s or doctoral degrees and are trained to perform the same scope of practice as RDs. Authorizing these professionals to apply for the Loan Repayment Program could help IHS better fill its need for dietetics and nutrition professionals.

The announcement also states that an “application will be considered complete” if it includes a “License to Practice—A photocopy of your current, non-temporary, full and unrestricted license to practice.” Several U.S. states do not offer a license to practice dietetics or nutrition. A larger set of states do not *require* a license to practice dietetics or nutrition, and only offer an optional state license to only RDs, while maintaining legality and authority for other nutrition professionals like CNSs to practice. Additionally, 25 U.S.C. Sec. 1616a only requires a license to practice for individuals who have already graduated, not those who are applying while still in their “approved graduate training program in a health profession.” Accordingly, we suggest that an applicant should only have to provide evidence of a state license as part of their Loan Repayment Program application if their eligibility status falls under 25 U.S.C. Sec. 1616a(b)(1)(B).

Indian Health Service Public Health Nutritionist Hiring Requirements

While not addressed in this announcement, we have also become aware that qualifications listed in IHS’ “Public Health Nutritionist” openings require applicants to be an RD, preventing highly trained CNSs from applying for these roles.^{vi}

The qualifications specify that a professional's education, supervised experience/internship, and registration/certification meet the requirements of the American Dietetic Association (now the Academy of Nutrition and Dietetics)/their affiliated credentialing body, the Commission on Dietetic Registration). These qualifications favor one private certification entity in a field with multiple credentialing bodies, and do not allow applicants whose education and experience meets the requirements of the ANA's Board for Certification of Nutrition Specialists to meet these restrictive qualifications.

Conclusion

We would like to request clarification of the professionals eligible for the loan repayment program to ensure that Certified Nutrition Specialists may be considered eligible to apply. We also ask that IHS revise qualifications for the role of Public Health Nutritionist so that CNSs may apply for and serve the agency in these roles. Doing so will expand access to nutrition care for the population IHS serves.

We would be happy to work with you or other agency staff on these revisions. I am available to provide more information about the CNS credential and to discuss this matter further at your convenience. Thank you for your consideration.

Sincerely,

Brittany Dawn McAllister, MPH
Director of Legislative and Regulatory Affairs

ⁱ United States Department of Labor, Bureau of Labor Statistics. December 2015. Occupational Outlook Handbook, Dietitians and Nutritionists. <http://www.bls.gov/ooh/Healthcare/Dietitians-and-nutritionists.htm#tab-4>

ⁱⁱ The American Nutrition Association, Advocate. March 2020. <https://theana.org/advocate>

ⁱⁱⁱ Indian Health Service Loan Repayment Program. 25 U.S.C. Sec. 1616a(a)(1). January 2011. <https://www.govinfo.gov/app/details/USCODE-2010-title25/USCODE-2010-title25-chap18-subchapl-sec1616a>

^{iv} Indian Health Service Loan Repayment Program. 25 U.S.C. Sec. 1616a(b)(1)(A)(ii). January 2011. <https://www.govinfo.gov/app/details/USCODE-2010-title25/USCODE-2010-title25-chap18-subchapl-sec1616a>

^v Indian Health Service Loan Repayment Program. 25 U.S.C. Sec. 1616a(b)(1)(B). January 2011. <https://www.govinfo.gov/app/details/USCODE-2010-title25/USCODE-2010-title25-chap18-subchapl-sec1616a>

^{vi} USAJOBS, Job Announcement, Public Health Nutritionist, Indian Health Service. March 2020. <https://www.usajobs.gov/GetJob/ViewDetails/558432600>