

Module 20, Lesson 1 Handout:

Scope of Practice

What is scope of practice?

Scope of practice laws are state-specific laws that tell you what you can and can't do, what services you can offer, and how you can work with clients based on your qualifications. It dictates how you can work with clients, what you can teach them, coach them around, or give advice or information on.

More than anything, when building out your business, you want to make sure you stay safely within your scope of practice and stay up to date on what your scope of practice is. These laws are always changing, so it's important to keep up with those changes when needed.

Why do I need to know what my scope of practice is?

If you offer services, give advice (i.e., diagnosis, treat, cure when you're not licensed to do so) you could face serious legal consequences. For one, your state's licensing board could call you before them. A person could complain to your state's licensing board, even if your practice area doesn't have a defined scope of practice (we'll address this later). If something happens with a client who has an adverse reaction to something you told them to do, they will likely include your failure to abide by your scope of practice in their lawsuit against you.

Why do we need scope of practice and who is it for?

It's meant to help protect the public. The public has the right to know who they're working with and how that person is or isn't qualified so they can make the best decision for them. Scope of practice laws and definitions also exist so that not just anyone can call themselves a doctor, for example, and practice medicine. We want to know that when and if someone promotes herself as a "doctor" she is qualified, licensed, and educated in the way that is required and that we expect.

What's *my* scope of practice?

We look to our state's regulatory boards and legislation to determine what the scope of practice is for our practice area. If your state doesn't have a scope definition for what you do, that is **not** a free pass to do whatever you'd like. If your state doesn't define what you do, you still need to make sure

you're not performing any services or offering work that falls under another professional's scope of practice. We'll give an example below.

Here's how to think about what your scope of practice is:

1. Find out what your profession's scope is
2. Review the scope of similar, licensed professions
3. Don't do anything that falls under the scope of someone else's scope of practice
4. When in doubt: talk to your attorney about what's safe or best for you

For example, if you're a health coach, you'd want to look to see if your state has any scope of practice laws or regulations on health coaching. If they do not, perhaps look to see how they define physicians, nutritionists, RDs, and nurses' scope of practice rules. You want to make sure you're not performing any services or offering information, advice or education that could be considered to fall into one those practice areas (i.e., medicine, nutrition, RD, nursing, etc.).

You want to design your business, services and programs to neatly fit within your scope of practices' boundaries. Don't just say "I'm not a doctor" and then do something only a doctor can do. Walk the walk - let your clients/future clients know who you are, what you do, and what you can't do - and then back it up by doing/not doing those things, being consistent in your marketing efforts and copy, and confirming all of that in your client contracts.

How can I keep up to date?

For nutrition, or anyone who offers services related to nutrition, the best way to stay up to date on evolving legislation is to follow this state map [here](#).

You can always consult your state's licensing board and/or State Legislature's website to review pending or passed legislation related to your practice area. Your credentialing authority may have available resources for you, too. And always seek the legal advice of an attorney near you if you wish to receive an opinion about your individualized circumstances and practice.