

Attorney Professional Scope of Practice – Discussions with Clients Regarding Diet, Nutrition and Wellness.

Attorneys often feel unsure about the boundary between their professional scope of practice and providing clients with information about healthy diet, adequate nutrition and general wellness. This article is intended to provide some guidance to assist you in navigating the boundaries of this aspect of your practice.

1. Am I required to have a special license in order to talk to my clients about healthy diet, adequate nutrition and general wellness?

No you are not required to have a specific license to talk to your clients about diet, nutrition and wellness. While the State of Washington does require certification in order to call oneself a “certified dietitian” or a “certified nutritionist,” there is no law, rule, or regulation that restricts other professionals from also addressing this type of information with their clients. In essence, Washington State requires certification only for the use the titles "certified dietitian," "certified nutritionist," or use of the acronyms "D.," "C.D.," or "C.N." (RCW 18.138). Of course, credentialed professionals must still always practice within the scope of their credential.

2. Is it within the scope of my license to talk to my clients about healthy diet, adequate nutrition and general wellness?

Yes, it definitely can be within the scope of your license. Here’s how:
According to the Washington Rules of Professional Conduct (Section 2.1), attorneys are often expected to provide counsel to clients beyond mere technical legal advice. In the role of advisor, Attorneys may “refer...to other considerations...that may be relevant to the client's situation.” This means that addressing diet, nutrition, and wellness can fit squarely within the scope of practice for Attorneys.

3. What is an example of addressing healthy diet, adequate nutrition and general wellness within the scope of my practice?

There are many ethical ways to address diet, nutrition, and wellness with clients. First, when advising clients it is always appropriate to discuss how lifestyle choices that impact clients’ health and wellbeing are relevant to their current situation. Second, it is generally good practice to make available to clients resources and references that support healthy lifestyle choices and wellness. As the comments to the Rules of Professional Conduct recognize, “advice couched in narrow legal terms may be of little value to a client.” Third, it is often appropriate for you to offer referrals to other professionals with expertise in these areas once you and your client have recognized a need.

4. What is an example of addressing healthy diet, adequate nutrition and general wellness that is outside of the scope of my practice?

While it is generally within your professional scope of practice to address diet, nutrition, and wellness with your clients, you must avoid engaging in activities that are outside of your knowledge, training, or expertise. For example, it would be inappropriate for you to suggest a specific diet plan that you created or exercise routine with specific goals beyond wellness to a client without also being able to provide a justification for your recommendation. Additionally, the sales of supplements directly to you clients is generally outside the scope of your license.