

HOUSE COMMITTEE OF REFERENCE REPORT

	April 30, 2025
Chair of Committee	Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB25-1220 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Strike the Finance Committee Report, dated March 17, 2025, and
2 substitute:

3 "Strike the Health and Human Services Committee Report, dated
4 February 26, 2025, and substitute:

5 "Amend printed bill, strike everything below the enacting clause and
6 substitute:

7 "SECTION 1. In Colorado Revised Statutes, **add** article 223 to
8 title 12 as follows:

9 **ARTICLE 223**
10 **Dietitians and Nutritionists**

11 **12-223-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 223 IS
12 THE "DIETETICS AND NUTRITION PRACTICE ACT".

13 **12-223-102. Legislative declaration.** (1) THE GENERAL
14 ASSEMBLY FINDS AND DECLARES THAT:

15 (a) THE PRACTICE OF MEDICAL NUTRITION THERAPY IS ESSENTIAL
16 TO PROTECTING AND PROMOTING THE HEALTH, SAFETY, AND WELFARE OF
17 THE PEOPLE OF COLORADO. THE ABSENCE OF LICENSURE AND REGULATION
18 FOR INDIVIDUALS ENGAGED IN THIS PRACTICE HAS RESULTED IN
19 SIGNIFICANT RISKS, INCLUDING THE PROVISION OF CARE BY UNQUALIFIED
20 PRACTITIONERS, INEQUITABLE ACCESS TO CRUCIAL NUTRITION SERVICES
21 IN UNDERSERVED COMMUNITIES, AND INEFFICIENT UTILIZATION OF
22 REGISTERED DIETITIANS IN HEALTH-CARE SETTINGS.

23 (b) TO MITIGATE THESE RISKS AND ENSURE THE DELIVERY OF SAFE,
24 HIGH-QUALITY NUTRITION CARE, IT IS NECESSARY TO ESTABLISH A
25 LICENSURE FRAMEWORK THAT FORMALLY RECOGNIZES AND REGULATES

1 THE PRACTICE OF MEDICAL NUTRITION THERAPY. THIS FRAMEWORK WILL
2 PROTECT CONSUMERS FROM HARM, INCREASE ACCESS TO ESSENTIAL CARE,
3 FACILITATE PARTICIPATION IN THE NATIONAL DIETITIAN LICENSURE
4 COMPACT, AND ENABLE COLORADO TO ALIGN WITH NATIONAL
5 STANDARDS, THEREBY EXPANDING THE WORKFORCE OF QUALIFIED
6 PRACTITIONERS AND IMPROVING OUTCOMES FOR PATIENTS ACROSS THE
7 STATE.

8 (c) THIS LICENSURE PROGRAM IS NARROWLY TAILORED TO
9 REGULATE ONLY THE PRACTICE OF MEDICAL NUTRITION THERAPY WHILE
10 EXPLICITLY PRESERVING THE ABILITY OF OTHER PROFESSIONALS AND
11 INDIVIDUALS TO PROVIDE GENERAL NUTRITION GUIDANCE AND WELLNESS
12 SERVICES. THROUGH THIS ACTION, THE GENERAL ASSEMBLY REAFFIRMS
13 ITS COMMITMENT TO ENSURING EQUITABLE AND AFFORDABLE HEALTH
14 CARE AS WELL AS THE SAFETY AND WELL-BEING OF ALL COLORADANS.

15 **12-223-103. Applicability of common provisions.** ARTICLES 1,
16 20, AND 30 OF THIS TITLE 12 APPLY, ACCORDING TO THEIR TERMS, TO THIS
17 ARTICLE 223.

18 **12-223-104. Definitions.** AS USED IN THIS ARTICLE 223, UNLESS
19 THE CONTEXT OTHERWISE REQUIRES:

20 (1) "ADVISORY COMMITTEE" MEANS THE DIETETICS AND
21 NUTRITION ADVISORY COMMITTEE CREATED IN SECTION 12-223-106.

22 (2) "DEGREE" MEANS A DEGREE RECEIVED FROM A COLLEGE OR
23 UNIVERSITY ACCREDITED BY THE APPROPRIATE UNITED STATES
24 REGIONALLY ACCREDITED BODY RECOGNIZED BY THE COUNCIL FOR
25 HIGHER EDUCATION ACCREDITATION AND THE UNITED STATES
26 DEPARTMENT OF EDUCATION AT THE TIME THE DEGREE WAS RECEIVED OR
27 A VALIDATED INTERNATIONAL EQUIVALENT.

28 (3) "DIETETICS" MEANS THE INTEGRATION AND APPLICATION OF
29 SCIENTIFIC PRINCIPLES DERIVED FROM THE STUDY OF FOOD, NUTRITION,
30 BIOCHEMISTRY, METABOLISM, NUTRIGENOMICS, PHYSIOLOGY,
31 PHARMACOLOGY, FOOD SYSTEMS, MANAGEMENT, AND BEHAVIORAL AND
32 SOCIAL SCIENCES TO ACHIEVE AND MAINTAIN OPTIMAL NUTRITION
33 STATUSES OF INDIVIDUALS AND GROUPS.

34 (4) "LICENSED DIETITIAN" MEANS AN INDIVIDUAL LICENSED UNDER
35 THIS ARTICLE 223 AS MEETING THE REQUIREMENTS OF SECTION
36 12-223-107 (1) TO PRACTICE DIETETICS AND NUTRITION, INCLUDING THE
37 PROVISION OF MEDICAL NUTRITION THERAPY.

38 (5) "LICENSED NUTRITIONIST" MEANS AN INDIVIDUAL LICENSED
39 UNDER THIS ARTICLE 223 AS MEETING THE REQUIREMENTS OF SECTION
40 12-223-108 (1) OR (4) TO PRACTICE NUTRITION, INCLUDING THE PROVISION
41 OF MEDICAL NUTRITION THERAPY.

42 (6) "MEDICAL NUTRITION THERAPY" MEANS THE PROVISION OF ONE
43 OR MORE OF THE FOLLOWING NUTRITION CARE SERVICES FOR THE PURPOSE

1 OF MANAGEMENT OR TREATMENT OF A DISEASE OR MEDICAL CONDITION:
2 (a) NUTRITION ASSESSMENT;
3 (b) NUTRITION DIAGNOSIS;
4 (c) NUTRITION INTERVENTION; OR
5 (d) NUTRITION MONITORING AND EVALUATION.
6 (7) "MEDICAL WEIGHT CONTROL" MEANS MEDICAL NUTRITION
7 THERAPY PROVIDED FOR THE PURPOSE OF REDUCING, MAINTAINING, OR
8 GAINING WEIGHT.
9 (8)(a) "NONMEDICAL WEIGHT CONTROL" MEANS NUTRITION CARE
10 SERVICES FOR THE PURPOSE OF REDUCING, MAINTAINING, OR GAINING
11 WEIGHT THAT DO NOT CONSTITUTE THE TREATMENT OR MANAGEMENT OF
12 A DISEASE OR MEDICAL CONDITION.
13 (b) "NONMEDICAL WEIGHT CONTROL" INCLUDES WEIGHT CONTROL
14 SERVICES FOR HEALTHY POPULATION GROUPS TO ACHIEVE OR MAINTAIN
15 A HEALTHY WEIGHT.
16 (9) "NUTRITION" MEANS THE INTEGRATION AND APPLICATION OF
17 SCIENTIFIC PRINCIPLES DERIVED FROM THE STUDY OF NUTRITION SCIENCE,
18 CELLULAR AND SYSTEMIC METABOLISM, BIOCHEMISTRY, PHYSIOLOGY, AND
19 BEHAVIORAL SCIENCES FOR ACHIEVING AND MAINTAINING HEALTH
20 THROUGHOUT THE LIFESPAN OF AN INDIVIDUAL.
21 (10) (a) "NUTRITION ASSESSMENT" MEANS THE ONGOING,
22 DYNAMIC, AND SYSTEMATIC PROCESS OF ORDERING, OBTAINING,
23 VERIFYING, AND INTERPRETING BIOCHEMICAL, ANTHROPOMETRIC,
24 PHYSICAL, NUTRIGENOMIC, AND DIETARY DATA TO MAKE DECISIONS
25 ABOUT THE NATURE AND CAUSE OF NUTRITION-RELATED PROBLEMS
26 RELATIVE TO PATIENT AND COMMUNITY NEEDS.
27 (b) "NUTRITION ASSESSMENT" INVOLVES NOT ONLY INITIAL DATA
28 COLLECTION BUT ALSO REASSESSMENT AND ANALYSIS OF PATIENT OR
29 COMMUNITY NEEDS AND PROVIDES THE FOUNDATION FOR NUTRITION
30 DIAGNOSIS AND NUTRITIONAL RECOMMENDATIONS AND ORDERS.
31 (c) "NUTRITION ASSESSMENT" MAY REQUIRE ORDERING
32 LABORATORY TESTS TO CHECK AND TRACK NUTRITIONAL STATUSES. THE
33 COLLECTION OF NUTRITION-RELATED DATA DOES NOT, BY ITSELF,
34 CONSTITUTE NUTRITION ASSESSMENT.
35 (11) "NUTRITION CARE SERVICES" MEANS ALL OR A PART OF THE
36 FOLLOWING SERVICES PROVIDED WITHIN A SYSTEMATIC PROCESS:
37 (a) ASSESSING AND EVALUATING THE NUTRITIONAL NEEDS OF
38 INDIVIDUALS AND GROUPS AND DETERMINING RESOURCES AND
39 CONSTRAINTS IN A PRACTICE SETTING, INCLUDING THE ORDERING OF
40 NUTRITION-RELATED LABORATORY TESTS TO CHECK AND TRACK
41 NUTRITION STATUSES;
42 (b) IDENTIFYING NUTRITION PROBLEMS AND ESTABLISHING
43 PRIORITIES, GOALS, AND OBJECTIVES THAT MEET NUTRITIONAL NEEDS AND

1 ARE CONSISTENT WITH AVAILABLE RESOURCES AND CONSTRAINTS;
2 (c) CREATING INDIVIDUALIZED DIETARY PLANS AND ISSUING AND
3 IMPLEMENTING ORDERS TO MEET THE NUTRITIONAL NEEDS OF HEALTHY
4 INDIVIDUALS AND INDIVIDUALS WITH DISEASE STATES OR MEDICAL
5 CONDITIONS, INCLUDING ORDERING THERAPEUTIC DIETS AND MONITORING
6 THE DIETS' EFFECTIVENESS;
7 (d) DETERMINING AND PROVIDING APPROPRIATE NUTRITION
8 INTERVENTION IN HEALTH AND DISEASE, INCLUDING NUTRITION
9 COUNSELING ON FOOD AND PRESCRIPTION DRUG INTERACTIONS;
10 (e) DEVELOPING, IMPLEMENTING, AND MANAGING NUTRITION CARE
11 SYSTEMS; OR
12 (f) EVALUATING, MAKING CHANGES IN, AND MAINTAINING
13 APPROPRIATE STANDARDS OF QUALITY IN FOOD AND NUTRITION SERVICES.
14 (12) "NUTRITION COUNSELING" MEANS A SUPPORTIVE PROCESS,
15 CHARACTERIZED BY A COLLABORATIVE COUNSELOR-PATIENT
16 RELATIONSHIP WITH INDIVIDUALS OR GROUPS, THAT ESTABLISHES FOOD
17 AND NUTRITION PRIORITIES, GOALS, AND INDIVIDUALIZED ACTION PLANS
18 AND GENERAL PHYSICAL ACTIVITY GUIDANCE, WHICH ACKNOWLEDGES
19 AND FOSTERS RESPONSIBILITY FOR SELF-CARE, PROMOTES HEALTH AND
20 WELLNESS, OR TREATS OR MANAGES AN EXISTING DISEASE OR MEDICAL
21 CONDITION.
22 (13) "NUTRITION DIAGNOSIS" MEANS IDENTIFYING AND LABELING
23 NUTRITION PROBLEMS MANAGED AND TREATED BY A LICENSED DIETITIAN
24 OR A LICENSED NUTRITIONIST BUT DOES NOT INCLUDE A MEDICAL
25 DIAGNOSIS OF THE HEALTH STATUS OF AN INDIVIDUAL.
26 (14) (a) "NUTRITION INTERVENTION" MEANS PURPOSEFULLY
27 PLANNED ACTIONS, INCLUDING NUTRITION COUNSELING, INTENDED TO
28 POSITIVELY CHANGE A NUTRITION-RELATED BEHAVIOR, RISK FACTOR,
29 ENVIRONMENTAL CONDITION, OR ASPECT OF THE HEALTH STATUS OF AN
30 INDIVIDUAL AND THE INDIVIDUAL'S FAMILY OR CAREGIVERS, TARGET
31 GROUPS, OR THE COMMUNITY AT LARGE.
32 (b) "NUTRITION INTERVENTION" INCLUDES APPROVING, ORDERING,
33 AND MONITORING THERAPEUTIC DIETS AND COUNSELING ON FOOD AND
34 PRESCRIPTION DRUG INTERACTIONS.
35 (15) "NUTRITION MONITORING AND EVALUATION" MEANS
36 IDENTIFYING PATIENT OUTCOMES RELEVANT TO A NUTRITION DIAGNOSIS,
37 INTERVENTION PLANS, AND GOALS AND COMPARING THOSE PATIENT
38 OUTCOMES WITH PREVIOUS STATUSES, INTERVENTION GOALS, OR A
39 REFERENCE STANDARD TO DETERMINE THE PROGRESS MADE IN ACHIEVING
40 THE DESIRED OUTCOMES OF NUTRITION CARE AND WHETHER PLANNED
41 INTERVENTIONS SHOULD BE CONTINUED OR REVISED.
42 (16) "PATIENT" MEANS AN INDIVIDUAL RECIPIENT OF NUTRITION
43 CARE SERVICES.

1 (17) "PRACTICE OF DIETETICS":
2 (a) INCLUDES THE PROVISION OF NUTRITION CARE SERVICES,
3 INCLUDING MEDICAL NUTRITION THERAPY, IN PERSON OR VIA TELEHEALTH,
4 TO PREVENT, MANAGE, OR TREAT CHRONIC AND ACUTE DISEASES OR
5 MEDICAL CONDITIONS AND PROMOTE WELLNESS IN INPATIENT AND
6 OUTPATIENT SETTINGS; AND
7 (b) ENCOMPASSES THE DEVELOPMENT AND ORDERING OF
8 THERAPEUTIC DIETS VIA ORAL, ENTERAL, AND PARENTERAL ROUTES AND
9 PROVIDING OTHER ADVANCED MEDICAL NUTRITION THERAPY AND
10 RELATED SUPPORT ACTIVITIES CONSISTENT WITH CURRENT COMPETENCIES
11 REQUIRED OF ACADEMIC AND SUPERVISED PRACTICE PROGRAMS
12 ACCREDITED BY THE ACCREDITATION COUNCIL FOR EDUCATION IN
13 NUTRITION AND DIETETICS AND IN ACCORDANCE WITH THE "SCOPE AND
14 STANDARDS OF PRACTICE FOR THE REGISTERED DIETITIAN NUTRITIONIST"
15 ESTABLISHED BY THE ACADEMY OF NUTRITION AND DIETETICS.
16 (18) "PRACTICE OF NUTRITION":
17 (a) INCLUDES THE PROVISION OF NUTRITION CARE SERVICES,
18 INCLUDING MEDICAL NUTRITION THERAPY, IN PERSON OR VIA TELEHEALTH,
19 TO PREVENT, MANAGE, OR TREAT CHRONIC DISEASES OR MEDICAL
20 CONDITIONS AND PROMOTE WELLNESS IN OUTPATIENT SETTINGS; AND
21 (b) ENCOMPASSES, CONSISTENT WITH A LEVEL OF COMPETENCE:
22 (I) ORDERING ORAL THERAPEUTIC DIETS;
23 (II) ORDERING MEDICAL LABORATORY TESTS RELATED TO
24 NUTRITIONAL THERAPEUTIC TREATMENTS; AND
25 (III) RECOMMENDING VITAMINS, MINERALS, AND OTHER DIETARY
26 SUPPLEMENTS.
27 (19) "QUALIFIED SUPERVISOR" MEANS AN INDIVIDUAL PROVIDING
28 SUPERVISION WHO ASSUMES FULL PROFESSIONAL RESPONSIBILITY FOR THE
29 WORK OF THE SUPERVISED INDIVIDUAL BY VERIFYING, DIRECTING, AND
30 APPROVING THE PROVIDED NUTRITION CARE SERVICES, MEDICAL
31 NUTRITION THERAPY, AND OTHER WORK BEING SUPERVISED AND MEETS
32 THE REQUIREMENTS OF SECTION 12-223-112.
33 (20) "REGISTERED DIETITIAN" MEANS AN INDIVIDUAL WHO IS
34 CREDENTIALLED BY THE COMMISSION ON DIETETIC REGISTRATION, OR ITS
35 SUCCESSOR ORGANIZATION, AS A REGISTERED DIETITIAN OR A REGISTERED
36 DIETITIAN NUTRITIONIST AND IS AUTHORIZED TO USE SUCH TITLE AND THE
37 CORRESPONDING ABBREVIATIONS "RD" OR "RDN".
38 (21) "TELEHEALTH" HAS THE MEANING SET FORTH IN SECTION
39 10-16-123 (4)(e).
40 (22) "UNRESTRICTED PRACTICE OF MEDICAL NUTRITION THERAPY"
41 MEANS THE PROVISION OF MEDICAL NUTRITION THERAPY BY AN
42 INDIVIDUAL WHO IS RESPONSIBLE FOR THE INDIVIDUAL'S OWN PRACTICE OR
43 TREATMENT PROCEDURES.

1 **12-223-105. Powers and duties of the director - rules.** (1) IN
2 ADDITION TO THE OTHER POWERS AND DUTIES OF THE DIRECTOR AS SET
3 FORTH IN THIS ARTICLE 223 AND ARTICLES 20 AND 30 OF THIS TITLE 12,
4 THE DIRECTOR SHALL:

5 (a) LICENSE DIETITIANS AND NUTRITIONISTS IN A MANNER
6 CONSISTENT WITH THIS ARTICLE 223;

7 (b) CREATE AND MAINTAIN A REGISTER OF ALL APPLICANTS FOR
8 LICENSURE, AND A REGISTER OF ALL LICENSED DIETITIANS AND LICENSED
9 NUTRITIONISTS;

10 (c) ADOPT RULES PURSUANT TO SECTION 12-20-204 TO PROVIDE
11 FOR THE ENFORCEMENT OF THIS ARTICLE 223;

12 (d) ADOPT THE LICENSURE STANDARDS PRESCRIBED IN THIS
13 ARTICLE 223 AND RULES RELEVANT TO LICENSURE, INCLUDING ADOPTING
14 UPDATED STANDARDS OF ACCREDITING ORGANIZATIONS;

15 (e) ADOPT BY RULE A CODE OF ETHICS AND STANDARDS OF
16 PRACTICE AND PROFESSIONAL RESPONSIBILITIES;

17 (f) ESTABLISH AND COLLECT THE FEES FOR LICENSURE AND
18 RENEWAL AND REINSTATEMENT OF LICENSURE IN THE MANNER
19 AUTHORIZED BY SECTION 12-20-105;

20 (g) ESTABLISH AND COLLECT FEES AND MAKE EXPENDITURES AS
21 REQUIRED BY THIS ARTICLE 223;

22 (h) ADMINISTER CONTINUING EDUCATION REQUIREMENTS FOR THE
23 RENEWAL OF A LICENSE, AS SET FORTH IN SECTION 12-223-114;

24 (i) RECEIVE AND PROCESS COMPLAINTS AND INVESTIGATE
25 ALLEGED VIOLATIONS OF THIS ARTICLE 223;

26 (j) CONDUCT ADMINISTRATIVE HEARINGS IN ACCORDANCE WITH
27 SECTION 12-20-403 IN ALL MATTERS RELATING TO THE EXERCISE AND
28 PERFORMANCE OF THE POWERS AND DUTIES VESTED IN THE DIRECTOR;

29 (k) SEEK AN INJUNCTION IN ACCORDANCE WITH SECTION
30 12-20-406 TO ENJOIN AN ACT OR PRACTICE THAT CONSTITUTES A
31 VIOLATION OF THIS ARTICLE 223;

32 (l) PROVIDE FOR EXAMINATION OR WAIVER OF EXAMINATION FOR
33 APPLICANTS PURSUANT TO SECTION 12-223-107 (1)(a)(III) OR 12-223-108
34 (1)(c)(I) OR (4); AND

35 (m) IMPOSE PENALTIES IN ACCORDANCE WITH THIS ARTICLE 223
36 AND WITH SECTIONS 12-20-404 AND 12-20-407.

37 **12-223-106. Dietetics and nutrition advisory committee -**
38 **members - repeal.** (1) THE DIETETICS AND NUTRITION ADVISORY
39 COMMITTEE IS CREATED IN THE DIVISION AS THE ENTITY RESPONSIBLE FOR
40 ADVISING THE DIRECTOR IN THE REGULATION OF MEDICAL NUTRITION
41 THERAPY AND THE IMPLEMENTATION OF THIS ARTICLE 223.

42 (2) (a) THE ADVISORY COMMITTEE CONSISTS OF SEVEN MEMBERS
43 WHO ARE RESIDENTS OF THIS STATE AND ARE APPOINTED BY THE DIRECTOR

1 AS FOLLOWS:

2 (I) EXCEPT AS PROVIDED IN SUBSECTION (2)(b)(I) OF THIS SECTION,
3 THREE MEMBERS MUST BE LICENSED DIETITIANS;

4 (II) EXCEPT AS PROVIDED IN SUBSECTION (2)(b)(I) OF THIS
5 SECTION, TWO MEMBERS MUST BE LICENSED NUTRITIONISTS;

6 (III) ONE MEMBER MUST BE A PHYSICIAN LICENSED TO PRACTICE
7 MEDICINE PURSUANT TO ARTICLE 240 OF THIS TITLE 12; AND

8 (IV) ONE MEMBER MUST NOT BE LICENSED UNDER THIS ARTICLE
9 223 OR ARTICLE 240 OF THIS TITLE 12 AND SHALL REPRESENT THE PUBLIC
10 AT LARGE.

11 (b) (I) LICENSED DIETITIANS AND LICENSED NUTRITIONISTS WHO
12 ARE MEMBERS OF THE ADVISORY COMMITTEE MUST HAVE BEEN ACTIVELY
13 PRACTICING IN THE FIELD OF DIETETICS OR NUTRITION FOR NOT LESS THAN
14 FIVE YEARS. THE DIETITIANS AND NUTRITIONISTS INITIALLY APPOINTED TO
15 THE ADVISORY COMMITTEE MUST BE ELIGIBLE FOR LICENSURE PURSUANT
16 TO THIS ARTICLE 223 AND MUST MAINTAIN LICENSURE, ONCE AVAILABLE,
17 WHILE SERVING ON THE ADVISORY COMMITTEE; THEREAFTER, LICENSED
18 DIETITIANS AND LICENSED NUTRITIONISTS APPOINTED TO THE ADVISORY
19 COMMITTEE MUST BE LICENSED PURSUANT TO THIS ARTICLE 223 AND MUST
20 MAINTAIN ACTIVE LICENSURE WHILE SERVING ON THE ADVISORY
21 COMMITTEE.

22 (II) EXCEPT AS PROVIDED IN SUBSECTION (2)(b)(I) OF THIS
23 SECTION:

24 (A) AT LEAST ONE MEMBER OF THE ADVISORY COMMITTEE MUST
25 BE A LICENSED DIETITIAN OR LICENSED NUTRITIONIST WHO IS AN
26 EDUCATOR SPECIALIZING IN THE FIELD OF DIETETICS OR NUTRITION ON THE
27 FACULTY OF A COLLEGE OR UNIVERSITY ACCREDITED AT THE TIME OF
28 GRADUATION BY A UNITED STATES INSTITUTIONAL ACCREDITING BODY
29 FOR HIGHER EDUCATION RECOGNIZED BY THE UNITED STATES
30 DEPARTMENT OF EDUCATION;

31 (B) AT LEAST ONE MEMBER OF THE ADVISORY COMMITTEE MUST
32 BE A LICENSED DIETITIAN WHOSE PRIMARY PRACTICE IS CLINICAL
33 DIETETICS IN A HOSPITAL OR LONG-TERM CARE INSTITUTION; AND

34 (C) AT LEAST ONE MEMBER OF THE ADVISORY COMMITTEE MUST
35 BE A LICENSED DIETITIAN OR LICENSED NUTRITIONIST WHOSE PRIMARY
36 PRACTICE IS MEDICAL NUTRITION THERAPY IN PRIVATE PRACTICE OR AN
37 OUTPATIENT SETTING.

38 (c) THE MEMBER OF THE ADVISORY COMMITTEE APPOINTED
39 PURSUANT TO SUBSECTION (2)(a)(IV) OF THIS SECTION MUST BE A CITIZEN
40 OR PERMANENT RESIDENT OF THE UNITED STATES AND A RESIDENT OF
41 COLORADO AND MUST NOT BE ANY OF THE FOLLOWING:

42 (I) A DIETITIAN OR A NUTRITIONIST;

43 (II) AN AGENT OR EMPLOYEE OF AN INDIVIDUAL ENGAGED IN THE

1 PROFESSION OF DIETETICS OR NUTRITION;
2 (III) A LICENSED HEALTH-CARE PROFESSIONAL OR AN INDIVIDUAL
3 ENROLLED IN A PROGRAM TO BECOME A LICENSED HEALTH-CARE
4 PROFESSIONAL;
5 (IV) AN AGENT OR EMPLOYEE OF A HEALTH-CARE INSTITUTION, A
6 HEALTH-CARE INSURER, OR A HEALTH-CARE PROFESSIONAL SCHOOL;
7 (V) A MEMBER OF AN ALLIED HEALTH PROFESSION OR AN
8 INDIVIDUAL ENROLLED IN A PROGRAM TO BECOME A MEMBER OF AN
9 ALLIED HEALTH PROFESSION; OR
10 (VI) AN UNREGULATED PROVIDER OF NUTRITION CARE SERVICES.
11 (d) (I) THE DIRECTOR SHALL MAKE THE INITIAL APPOINTMENTS TO
12 THE ADVISORY COMMITTEE ON OR BEFORE SIX MONTHS AFTER THE
13 EFFECTIVE DATE OF THIS ARTICLE 223.
14 (II) THE INITIAL TERM OF APPOINTMENT OF TWO LICENSED
15 DIETITIANS APPOINTED PURSUANT TO SUBSECTION (2)(a)(I) OF THIS
16 SECTION, ONE LICENSED NUTRITIONIST APPOINTED PURSUANT TO
17 SUBSECTION (2)(a)(II) OF THIS SECTION, AND THE MEMBER REPRESENTING
18 THE PUBLIC AT LARGE APPOINTED PURSUANT TO SUBSECTION (2)(a)(IV) OF
19 THIS SECTION IS TWO YEARS, WITH THE INITIAL TERM OF APPOINTMENT FOR
20 THE REMAINING MEMBERS OF THE ADVISORY COMMITTEE BEING THREE
21 YEARS.
22 (III) THIS SUBSECTION (2)(d) IS REPEALED, EFFECTIVE DECEMBER
23 1, 2030.
24 (e) (I) EACH MEMBER OF THE ADVISORY COMMITTEE SERVES AT
25 THE PLEASURE OF THE DIRECTOR. EXCEPT AS PROVIDED IN SUBSECTION
26 (2)(d) OF THIS SECTION, THE TERM OF APPOINTMENT IS THREE YEARS. A
27 MEMBER SHALL NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.
28 (II) EACH MEMBER OF THE ADVISORY COMMITTEE DOES NOT
29 RECEIVE COMPENSATION FOR THEIR SERVICES BUT IS ENTITLED TO
30 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES THEY INCUR IN
31 PERFORMING THEIR DUTIES.
32 (III) THE DIRECTOR SHALL CALL THE FIRST MEETING OF THE
33 ADVISORY COMMITTEE NO LATER THAN THREE MONTHS AFTER THE
34 DIRECTOR MAKES ALL OF THE INITIAL APPOINTMENTS TO THE ADVISORY
35 COMMITTEE.
36 (IV) THE ADVISORY COMMITTEE SHALL ELECT A CHAIR FROM
37 AMONG ITS MEMBERS TO SERVE FOR A TERM NOT TO EXCEED ONE YEAR. A
38 CHAIR SHALL NOT SERVE MORE THAN THREE CONSECUTIVE TERMS.
39 (V) THE ADVISORY COMMITTEE SHALL MEET AT LEAST ONCE
40 EVERY CALENDAR YEAR, OR MORE FREQUENTLY AS DETERMINED
41 NECESSARY BY THE DIRECTOR.
42 (3) THE CHAIR IS AN OFFICIAL REPRESENTATIVE OF THE ADVISORY
43 COMMITTEE AND IS RESPONSIBLE FOR THE DAILY ACTIVITIES OF THE

1 ADVISORY COMMITTEE AND ITS STAFF.

2 **12-223-107. Licensure of dietitians - qualifications -**
3 **application.** (1) AN APPLICANT FOR A LICENSE AS A DIETITIAN SHALL
4 SUBMIT A COMPLETED APPLICATION AS REQUIRED BY THE DIRECTOR
5 DEMONSTRATING THE APPLICANT IS CAPABLE AND PROFESSIONALLY
6 COMPETENT TO SAFELY ENGAGE IN THE PRACTICES OF DIETETICS AND
7 NUTRITION, SUBMIT THE FEES AS REQUIRED BY THE DIRECTOR, AND SUBMIT
8 PROOF OF ONE OF THE FOLLOWING:

9 (a) PROOF OF COMPLETION OF ALL OF THE FOLLOWING
10 EDUCATIONAL REQUIREMENTS AND SUPERVISED PRACTICE EXPERIENCE
11 AND EXAMINATION REQUIREMENTS:

12 (I) PROOF OF ONE OF THE FOLLOWING EDUCATIONAL
13 REQUIREMENTS:

14 (A) A MASTER'S DEGREE OR DOCTORAL DEGREE WITH A PROGRAM
15 OF STUDY THAT IS ACCREDITED BY THE ACCREDITATION COUNCIL FOR
16 EDUCATION IN NUTRITION AND DIETETICS, OR ITS SUCCESSOR
17 ORGANIZATION; OR

18 (B) AN INTERNATIONAL ACADEMIC DEGREE THAT THE DIRECTOR
19 DETERMINES IS EQUIVALENT TO A DEGREE DESCRIBED IN SUBSECTION
20 (1)(a)(I)(A) OF THIS SECTION WITH A PROGRAM OF STUDY THAT IS
21 ACCREDITED BY THE ACCREDITATION COUNCIL FOR EDUCATION IN
22 NUTRITION AND DIETETICS, OR ITS SUCCESSOR ORGANIZATION;

23 (II) SATISFACTORY COMPLETION OF A PLANNED, DOCUMENTED,
24 AND SUPERVISED EXPERIENCE IN DIETETICS AND NUTRITION PRACTICE
25 APPROVED BY THE DIRECTOR AND ACCREDITED BY THE ACCREDITATION
26 COUNCIL FOR EDUCATION IN NUTRITION AND DIETETICS, OR ITS
27 SUCCESSOR ORGANIZATION, THAT INVOLVES AT LEAST ONE THOUSAND
28 HOURS OF SUPERVISED PRACTICE EXPERIENCE UNDER THE SUPERVISION OF
29 A QUALIFIED SUPERVISOR. AN APPLICANT SHALL COMPLETE A SUPERVISED
30 PRACTICE EXPERIENCE WITHIN FIVE YEARS AFTER COMPLETING THE
31 EDUCATIONAL REQUIREMENTS DESCRIBED IN SUBSECTION (1)(a)(I) OF THIS
32 SECTION UNLESS THE DIRECTOR, FOR EXTRAORDINARY CIRCUMSTANCES,
33 GRANTS AN EXTENSION FOR A LIMITED TIME.

34 (III) SUCCESSFUL COMPLETION OF THE REGISTRATION
35 EXAMINATION FOR DIETITIANS ADMINISTERED BY THE COMMISSION ON
36 DIETETIC REGISTRATION, OR ITS SUCCESSOR ORGANIZATION. IF PASSAGE
37 OF THE EXAMINATION OCCURRED MORE THAN FIVE YEARS BEFORE THE
38 APPLICATION FOR LICENSURE, THE APPLICANT SHALL DEMONSTRATE
39 COMPLETION OF SEVENTY-FIVE HOURS OF CONTINUING EDUCATION
40 MEETING THE CONTINUING EDUCATION CRITERIA, AS ADOPTED BY RULE,
41 PER EACH FIVE-YEAR PERIOD POST-EXAMINATION.

42 (b) PROOF OF A VALID REGISTRATION WITH THE COMMISSION ON
43 DIETETIC REGISTRATION, OR ITS SUCCESSOR ORGANIZATION, THAT GIVES

1 THE APPLICANT THE RIGHT TO USE THE TERM "REGISTERED DIETITIAN",
2 "REGISTERED DIETITIAN NUTRITIONIST", "RD", OR "RDN".

3 (2) AFTER AN APPLICANT HAS FULFILLED THE REQUIREMENTS OF
4 SUBSECTION (1) OF THIS SECTION, THE DIRECTOR SHALL ISSUE A LICENSE
5 TO THE APPLICANT; EXCEPT THAT THE DIRECTOR MAY DENY A LICENSE
6 PURSUANT TO SECTIONS 12-20-404 (1)(d)(I) AND 12-223-109.

7 **12-223-108. Licensure of nutritionists - qualifications -**
8 **application - transitional license - rules - repeal.** (1) AN APPLICANT
9 FOR A LICENSE AS A NUTRITIONIST SHALL SUBMIT A COMPLETED
10 APPLICATION AS REQUIRED BY THE DIRECTOR DEMONSTRATING THE
11 APPLICANT IS CAPABLE AND PROFESSIONALLY COMPETENT TO SAFELY
12 ENGAGE IN THE PRACTICE OF NUTRITION, SUBMIT THE FEES AS REQUIRED
13 BY THE DIRECTOR, AND SUBMIT PROOF OF COMPLETION OF ALL THE
14 FOLLOWING EDUCATIONAL REQUIREMENTS, SUPERVISED PRACTICE
15 EXPERIENCES, AND EXAMINATION REQUIREMENTS:

16 (a) PROOF OF COMPLETION OF A DOCTORAL DEGREE OR VALIDATED
17 INTERNATIONAL EQUIVALENT IN A FIELD OF CLINICAL HEALTH CARE FROM
18 A COLLEGE OR UNIVERSITY ACCREDITED AT THE TIME OF GRADUATION BY
19 A UNITED STATES INSTITUTIONAL ACCREDITING BODY FOR HIGHER
20 EDUCATION RECOGNIZED BY THE UNITED STATES DEPARTMENT OF
21 EDUCATION OR A MASTER'S OR DOCTORAL DEGREE OR VALIDATED
22 INTERNATIONAL EQUIVALENT FROM A COLLEGE OR UNIVERSITY
23 ACCREDITED AT THE TIME OF GRADUATION BY A UNITED STATES
24 INSTITUTIONAL ACCREDITING BODY FOR HIGHER EDUCATION RECOGNIZED
25 BY THE UNITED STATES DEPARTMENT OF EDUCATION WITH A MAJOR IN:

- 26 (I) HUMAN NUTRITION;
27 (II) FOODS AND NUTRITION;
28 (III) COMMUNITY NUTRITION;
29 (IV) PUBLIC HEALTH NUTRITION;
30 (V) NUTRITION EDUCATION;
31 (VI) NUTRITION;
32 (VII) NUTRITION SCIENCE;
33 (VIII) CLINICAL NUTRITION;
34 (IX) APPLIED CLINICAL NUTRITION;
35 (X) NUTRITION COUNSELING;
36 (XI) NUTRITION AND FUNCTIONAL MEDICINE;
37 (XII) NUTRITIONAL BIOCHEMISTRY;
38 (XIII) NUTRITION AND INTEGRATIVE HEALTH; OR
39 (XIV) A COMPARABLY TITLED MAJOR;

40 (b) SATISFACTORY COMPLETION OF A PLANNED, DOCUMENTED,
41 AND CONTINUOUS SUPERVISED PRACTICE EXPERIENCE THAT
42 DEMONSTRATES COMPETENCE IN PROVIDING NUTRITION CARE SERVICES
43 AND MEDICAL NUTRITION THERAPY THAT IS APPROVED BY THE DIRECTOR

1 AND MEETS THE FOLLOWING REQUIREMENTS REGARDING SUPERVISED
2 PRACTICE EXPERIENCE:

3 (I) COMPLETION WITHIN FIVE YEARS AFTER COMPLETING THE
4 REQUIREMENTS DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, UNLESS
5 THE DIRECTOR, FOR EXTRAORDINARY CIRCUMSTANCES, GRANTS AN
6 EXTENSION FOR A LIMITED TIME;

7 (II) COMPLETION OF AT LEAST ONE THOUSAND HOURS
8 CUMULATIVELY IN THE FOLLOWING PRACTICE AREAS, WITH A MINIMUM OF
9 TWO HUNDRED HOURS COMPLETED IN EACH PRACTICE AREA:

10 (A) NUTRITION ASSESSMENT;

11 (B) NUTRITION INTERVENTION; AND

12 (C) NUTRITION MONITORING AND EVALUATION;

13 (III) THE DIRECTOR DETERMINES THAT THE SUPERVISED PRACTICE
14 EXPERIENCE HAS PREPARED THE APPLICANT TO PROVIDE NUTRITION CARE
15 SERVICES FOR VARIOUS POPULATIONS OF DIVERSE CULTURES, OF GENDERS,
16 AND ACROSS THE LIFE CYCLE AND TO BE ABLE TO COMPETENTLY
17 FORMULATE ACTIONABLE MEDICAL NUTRITION THERAPIES AND
18 INTERVENTIONS, EDUCATION, COUNSELING, AND ONGOING CARE FOR THE
19 PREVENTION, MODULATION, AND MANAGEMENT OF A RANGE OF CHRONIC
20 MEDICAL CONDITIONS; AND

21 (IV) SUPERVISION BY A QUALIFIED SUPERVISOR, AS DETERMINED
22 PURSUANT TO SECTION 12-223-112; AND

23 (c) COMPLETION OF EXAMINATION REQUIREMENTS BY
24 DEMONSTRATING EITHER OF THE FOLLOWING:

25 (I) PASSAGE OF THE CERTIFIED NUTRITION SPECIALIST
26 EXAMINATION ADMINISTERED BY THE BOARD FOR CERTIFICATION OF
27 NUTRITION SPECIALISTS, OR ITS SUCCESSOR ORGANIZATION, OR AN
28 EQUIVALENT EXAMINATION ON ALL ASPECTS OF THE PRACTICE OF
29 NUTRITION THAT HAS BEEN REVIEWED UNDER A PROGRAM THAT REQUIRES
30 A MASTER'S DEGREE OR HIGHER, IS ACCREDITED BY THE NATIONAL
31 COMMISSION FOR CERTIFYING AGENCIES OR ITS SUCCESSOR
32 ORGANIZATION, AND IS APPROVED BY THE DIRECTOR. IF PASSAGE OF THE
33 EXAMINATION OCCURRED MORE THAN FIVE YEARS BEFORE THE
34 APPLICATION FOR LICENSURE, THE APPLICANT SHALL DEMONSTRATE
35 COMPLETION OF SEVENTY-FIVE HOURS OF CONTINUING EDUCATION
36 MEETING THE CONTINUING EDUCATION CRITERIA, AS ADOPTED BY RULE,
37 PER EACH FIVE-YEAR PERIOD POST-EXAMINATION.

38 (II) THE APPLICANT HOLDS A VALID CERTIFICATION WITH THE
39 BOARD FOR CERTIFICATION OF NUTRITION SPECIALISTS, OR ITS
40 SUCCESSOR ORGANIZATION, THAT GIVES THE APPLICANT THE RIGHT TO USE
41 THE TITLE "CERTIFIED NUTRITION SPECIALIST".

42 (2) TO COMPLY WITH THE EDUCATIONAL REQUIREMENTS SET
43 FORTH IN SUBSECTION (1)(a) OF THIS SECTION AND REGARDLESS OF THE

1 COURSE OF STUDY, THE APPLICANT SHALL HAVE COMPLETED COURSEWORK
2 LEADING TO COMPETENCE IN MEDICAL NUTRITION THERAPY, INCLUDING
3 BOTH OF THE FOLLOWING:

4 (a) FIFTEEN SEMESTER HOURS OF CLINICAL OR LIFE SCIENCES, SUCH
5 AS COURSES IN CHEMISTRY, ORGANIC CHEMISTRY, BIOLOGY, MOLECULAR
6 BIOLOGY, BIOTECHNOLOGY, BOTANY, GENETICS, GENOMICS,
7 NEUROSCIENCE, EXPERIMENTAL SCIENCE, IMMUNOTHERAPY, PATHOLOGY,
8 PHARMACOLOGY, TOXICOLOGY, RESEARCH METHODS, APPLIED STATISTICS,
9 BIOSTATISTICS, EPIDEMIOLOGY, ENERGY PRODUCTION, MOLECULAR
10 PATHWAYS, HORMONE AND TRANSMITTER REGULATIONS AND IMBALANCE,
11 AND PATHOPHYSIOLOGIC BASIS OF DISEASE. THREE SEMESTER HOURS
12 MUST BE IN HUMAN ANATOMY AND PHYSIOLOGY OR THE EQUIVALENT.

13 (b) FIFTEEN SEMESTER HOURS OF NUTRITION AND METABOLISM,
14 SUCH AS COURSES IN NUTRITION ASSESSMENT, DEVELOPMENTAL
15 NUTRITION, NUTRITIONAL ASPECTS OF DISEASE, HUMAN NUTRITION,
16 MACRONUTRIENTS, MICRONUTRIENTS, VITAMINS AND MINERALS,
17 FUNCTIONAL MEDICINE NUTRITION, MOLECULAR METABOLISM, CLINICAL
18 NUTRITION, MEDICAL NUTRITION THERAPY, NUTRITIONAL BIOCHEMISTRY,
19 NUTRITION AND DIGESTIVE HEALTH, AND PUBLIC HEALTH NUTRITION. AT
20 LEAST SIX SEMESTER HOURS MUST BE IN BIOCHEMISTRY.

21 (3) AFTER AN APPLICANT HAS FULFILLED THE REQUIREMENTS OF
22 SUBSECTION (1) OF THIS SECTION, THE DIRECTOR SHALL ISSUE A LICENSE
23 TO THE APPLICANT; EXCEPT THAT THE DIRECTOR MAY DENY A LICENSE
24 PURSUANT TO SECTIONS 12-20-404 (1)(d)(I) AND 12-223-109.

25 (4) (a) THE DIRECTOR MAY WAIVE THE EXAMINATION
26 REQUIREMENT OF SUBSECTION (1)(c)(I) OF THIS SECTION AND MAY GRANT
27 A NUTRITIONIST LICENSE TO AN APPLICANT WHO APPLIES TO THE DIRECTOR
28 AND DEMONSTRATES COMPLIANCE WITH THE FOLLOWING:

29 (I) RECEIPT OF A BACCALAUREATE OR HIGHER ACADEMIC DEGREE
30 FROM A UNITED STATES REGIONALLY ACCREDITED INSTITUTION OF
31 HIGHER EDUCATION RECOGNIZED BY THE COUNCIL FOR HIGHER
32 EDUCATION ACCREDITATION, OR SUCCESSOR ORGANIZATION, WITH AT
33 LEAST THIRTY CREDIT HOURS OR A MAJOR COURSE OF STUDY IN:

- 34 (A) HUMAN NUTRITION;
- 35 (B) FOODS AND NUTRITION;
- 36 (C) FOOD SYSTEMS MANAGEMENT;
- 37 (D) NUTRITIONAL SCIENCE;
- 38 (E) NUTRITIONAL EDUCATION;
- 39 (F) COMMUNITY NUTRITION;
- 40 (G) PUBLIC HEALTH NUTRITION;
- 41 (H) NUTRITION EDUCATION;
- 42 (I) NUTRITION;
- 43 (J) NUTRITION SCIENCE;

- 1 (K) CLINICAL NUTRITION;
2 (L) APPLIED CLINICAL NUTRITION;
3 (M) NUTRITION COUNSELING;
4 (N) NUTRITION AND FUNCTIONAL MEDICINE;
5 (O) NUTRITIONAL BIOCHEMISTRY;
6 (P) NUTRITION AND INTEGRATIVE HEALTH; OR
7 (Q) AN EQUIVALENT COURSE OF STUDY LEADING TO COMPETENCE
8 IN MEDICAL NUTRITION THERAPY;
9 (II) EMPLOYMENT, INCLUDING SELF-EMPLOYMENT, AT LEAST ON
10 A HALF-TIME BASIS, TO PROVIDE NUTRITION CARE SERVICES FOR THE
11 TREATMENT OR MANAGEMENT OF A DIAGNOSED DISEASE OR MEDICAL
12 CONDITION FOR THREE OF THE FIVE YEARS IMMEDIATELY PRECEDING
13 SEPTEMBER 1, 2026;
14 (III) PROVISION OF MEDICAL NUTRITION THERAPY TO RESIDENTS
15 OF COLORADO WITHOUT SUPERVISION FOR AT LEAST SIX MONTHS
16 IMMEDIATELY PRECEDING SEPTEMBER 1, 2026; AND
17 (IV) THE APPLICANT IS NOT A REGISTERED DIETITIAN.
18 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,
19 2028.

20 **12-223-109. Disciplinary action - grounds for discipline.**

21 (1) PURSUANT TO PART 4 OF ARTICLE 20 OF THIS TITLE 12, THE DIRECTOR
22 MAY DENY OR REFUSE TO RENEW A LICENSE, SUSPEND OR REVOKE A
23 LICENSE, IMPOSE PROBATIONARY CONDITIONS ON A LICENSE, ISSUE A
24 CEASE-AND-DESIST LETTER, OR SEEK INJUNCTIVE RELIEF AGAINST A
25 LICENSEE OR AN APPLICANT FOR LICENSURE WHO HAS ENGAGED IN ONE OR
26 MORE OF THE FOLLOWING GROUNDS FOR DISCIPLINE OR UNPROFESSIONAL
27 CONDUCT:

28 (a) ENGAGING IN CONDUCT INVOLVING FRAUD, DECEIT,
29 MISREPRESENTATION, OR CONCEALMENT OF MATERIAL FACTS IN
30 OBTAINING OR ATTEMPTING TO OBTAIN A LICENSE OR THE RENEWAL OF A
31 LICENSE;

32 (b) COMMITTING AN ACT OF MALPRACTICE, GROSS NEGLIGENCE, OR
33 INCOMPETENCE IN THE PRACTICE OF DIETETICS OR NUTRITION;

34 (c) EXCEPT AS OTHERWISE PROVIDED IN SECTION 12-223-113,
35 PRACTICING MEDICAL NUTRITION THERAPY WITHOUT A VALID LICENSE
36 ISSUED UNDER THIS ARTICLE 223, THE PENALTY FOR WHICH IS SET FORTH
37 IN SECTION 12-223-115;

38 (d) ENGAGING IN CONDUCT THAT COULD RESULT IN HARM OR
39 INJURY TO THE PUBLIC;

40 (e) ADJUDICATION OF INCOMPETENCY UNTIL PROOF OF RECOVERY
41 FROM THE CONDITION CAN BE ESTABLISHED; AND

42 (f) BEING CONVICTED IN A COURT OF, OR HAVING ENTERED A PLEA
43 OF GUILTY OR NOLO CONTENDERE TO, A CRIME DIRECTLY RELATED TO THE

1 DUTIES AND RESPONSIBILITIES OF A DIETITIAN OR NUTRITIONIST OR A
2 CRIME THAT WAS VIOLENT OR SEXUAL IN NATURE.

3 **12-223-110. Provisional and limited permits.** (1) THE DIRECTOR
4 MAY ISSUE AN INDIVIDUAL A PROVISIONAL LICENSE TO PRACTICE AS A
5 DIETITIAN OR A NUTRITIONIST UPON THE FILING OF AN APPLICATION WITH
6 PAYMENT OF AN APPROPRIATE FEE, THE SUBMISSION OF EVIDENCE OF
7 SUCCESSFUL COMPLETION OF THE EDUCATIONAL AND SUPERVISED
8 PRACTICE REQUIREMENTS, AND THE SUBMISSION OF EVIDENCE THAT THE
9 INDIVIDUAL HAS APPLIED TO TAKE AN EXAMINATION DESCRIBED IN
10 SECTION 12-223-107 (1)(a)(III) OR 12-223-108 (1)(c)(I).

11 (2) A PROVISIONAL LICENSE EXPIRES ONE YEAR AFTER THE DATE
12 OF ISSUANCE AND IS NOT ELIGIBLE FOR RENEWAL.

13 (3) A DIETITIAN PROVISIONAL LICENSE AUTHORIZES THE LICENSEE
14 TO PRACTICE ONLY UNDER THE SUPERVISION OF A LICENSED DIETITIAN.

15 (4) A NUTRITIONIST PROVISIONAL LICENSE AUTHORIZES THE
16 LICENSEE TO PRACTICE ONLY UNDER THE SUPERVISION OF A LICENSED
17 DIETITIAN OR A LICENSED NUTRITIONIST.

18 (5) THE DIRECTOR SHALL DETERMINE THE FEE FOR ISSUANCE OF A
19 PROVISIONAL LICENSE IN THE MANNER AUTHORIZED BY SECTION
20 12-20-105.

21 **12-223-111. License required - title protection.** (1) EXCEPT AS
22 OTHERWISE PROVIDED IN SECTION 12-223-113, ON AND AFTER SEPTEMBER
23 1, 2026, AN INDIVIDUAL SHALL NOT ENGAGE IN OR OFFER TO PROVIDE
24 MEDICAL NUTRITION THERAPY UNLESS THE INDIVIDUAL IS LICENSED
25 UNDER THIS ARTICLE 223.

26 (2) (a) AN INDIVIDUAL SHALL NOT DESIGNATE THEMSELF OR HOLD
27 THEMSELF OUT AS A LICENSED DIETITIAN UNLESS THE INDIVIDUAL IS
28 LICENSED AS A DIETITIAN UNDER THIS ARTICLE 223. AN INDIVIDUAL SHALL
29 NOT USE OR ASSUME THE TITLE "DIETITIAN", "DIETITIAN NUTRITIONIST",
30 OR "DIETICIAN" UNLESS THE INDIVIDUAL HOLDS THE REGISTERED
31 DIETITIAN CREDENTIAL FROM THE COMMISSION ON DIETETIC
32 REGISTRATION OR IS LICENSED AS A DIETITIAN UNDER THIS ARTICLE 223.

33 (b) AN INDIVIDUAL SHALL NOT APPEND TO, OR USE IN
34 CONJUNCTION WITH, THE INDIVIDUAL'S NAME THE LETTERS "LD" OR
35 "LDN" UNLESS THE INDIVIDUAL IS LICENSED AS A DIETITIAN UNDER THIS
36 ARTICLE 223.

37 (3) (a) AN INDIVIDUAL SHALL NOT USE OR ASSUME A TITLE
38 INDICATING THAT THE INDIVIDUAL IS A LICENSED NUTRITIONIST OR APPEND
39 TO, OR USE IN CONJUNCTION WITH, THE INDIVIDUAL'S NAME THE LETTERS
40 "LN" UNLESS THE INDIVIDUAL IS LICENSED AS A NUTRITIONIST UNDER THIS
41 ARTICLE 223.

42 (b) AN INDIVIDUAL SHALL NOT DESIGNATE THEMSELF OR HOLD
43 THEMSELF OUT AS A NUTRITIONIST OR USE OR ASSUME THE TITLE

1 "NUTRITIONIST" UNLESS THE INDIVIDUAL IS LICENSED UNDER THIS ARTICLE
2 223.

3 (4) AN INDIVIDUAL IS NOT PROHIBITED BY THIS ARTICLE 223 FROM
4 IDENTIFYING THEMSELF USING AN EARNED, FEDERALLY TRADEMARKED
5 NUTRITION CREDENTIAL, BUT SUCH PERMITTED USE DOES NOT GIVE THE
6 INDIVIDUAL THE RIGHT TO PRACTICE MEDICAL NUTRITION THERAPY
7 UNLESS THE INDIVIDUAL IS ALSO LICENSED UNDER THIS ARTICLE 223.

8 **12-223-112. Qualified supervisors - duties.** (1) (a) TO QUALIFY
9 AS A QUALIFIED SUPERVISOR FOR PURPOSES OF THIS ARTICLE 223, AN
10 INDIVIDUAL MUST MEET THE FOLLOWING REQUIREMENTS:

11 (I) IF SUPERVISING A STUDENT OR TRAINEE WHO IS PROVIDING
12 MEDICAL NUTRITION THERAPY IN A STATE THAT PROVIDES FOR LICENSURE
13 OR CERTIFICATION OF DIETITIANS, DIETITIAN NUTRITIONISTS, OR
14 NUTRITIONISTS, THE INDIVIDUAL MUST BE ONE OF THE FOLLOWING:

15 (A) A LICENSED DIETITIAN, A LICENSED NUTRITIONIST, OR A
16 HEALTH-CARE PROVIDER LICENSED OR CERTIFIED IN A STATE OR
17 TERRITORY IN THE UNITED STATES, INCLUDING LICENSED OR CERTIFIED
18 DIETITIANS, DIETITIAN NUTRITIONISTS, OR NUTRITIONISTS, WHOSE SCOPE
19 OF PRACTICE INCLUDES THE PROVISION OF MEDICAL NUTRITION THERAPY;
20 OR

21 (B) AN EMPLOYEE OF THE FEDERAL GOVERNMENT AUTHORIZED
22 WITHIN THE DISCHARGE OF THE INDIVIDUAL'S OFFICIAL DUTIES TO PROVIDE
23 MEDICAL NUTRITION THERAPY;

24 (II) IF SUPERVISING A STUDENT OR TRAINEE IN A STATE THAT DOES
25 NOT PROVIDE FOR LICENSURE OR CERTIFICATION OF DIETITIANS, DIETITIAN
26 NUTRITIONISTS, OR NUTRITIONISTS, THE INDIVIDUAL MEETS OTHER
27 CRITERIA AS THE DIRECTOR MAY ESTABLISH, INCLUDING BEING A
28 REGISTERED DIETITIAN OR A LICENSED HEALTH-CARE PROVIDER WHOSE
29 SCOPE OF PRACTICE INCLUDES THE PROVISION OF MEDICAL NUTRITION
30 THERAPY; AND

31 (III) UNLESS THE INDIVIDUAL IS AN EMPLOYEE OF THE FEDERAL
32 GOVERNMENT AUTHORIZED WITHIN THE DISCHARGE OF THE INDIVIDUAL'S
33 OFFICIAL DUTIES TO PROVIDE MEDICAL NUTRITION THERAPY, THE
34 INDIVIDUAL MUST BE LICENSED IN THIS STATE IF SUPERVISING A STUDENT
35 OR TRAINEE WHO IS PROVIDING MEDICAL NUTRITION THERAPY TO AN
36 INDIVIDUAL LOCATED IN THIS STATE.

37 (b) A QUALIFIED SUPERVISOR SHALL ONLY SUPERVISE A CLINICAL
38 ACTIVITY OR NUTRITION CARE SERVICE FOR WHICH THE QUALIFIED
39 SUPERVISOR IS QUALIFIED AND IS AUTHORIZED TO PERFORM.

40 (c) A QUALIFIED SUPERVISOR SHALL DEVELOP AND CARRY OUT A
41 PROGRAM FOR ADVANCING AND OPTIMIZING THE QUALITY OF CARE
42 PROVIDED BY A STUDENT OR TRAINEE BEING SUPERVISED. THE QUALIFIED
43 SUPERVISOR AND THE STUDENT OR TRAINEE BEING SUPERVISED SHALL

1 IDENTIFY AND DOCUMENT GOALS FOR SUPERVISED PRACTICE EXPERIENCE,
2 THE ASSIGNMENT OF CLINICAL TASKS AS APPROPRIATE TO THE SUPERVISED
3 INDIVIDUAL'S EVOLVING LEVEL OF COMPETENCE, THE SUPERVISED
4 INDIVIDUAL'S RELATIONSHIP AND ACCESS TO THE QUALIFIED SUPERVISOR,
5 AND A PROCESS FOR EVALUATING THE STUDENT OR TRAINEE'S
6 PERFORMANCE.

7 (d) A QUALIFIED SUPERVISOR SHALL OVERSEE THE ACTIVITIES OF,
8 AND APPROVE AND ACCEPT RESPONSIBILITY FOR THE NUTRITION CARE
9 SERVICES RENDERED BY, THE STUDENT OR TRAINEE.

10 (e) A QUALIFIED SUPERVISOR SHALL BE PHYSICALLY ON SITE AND
11 PRESENT WHERE THE SUPERVISED INDIVIDUAL IS PROVIDING NUTRITION
12 CARE SERVICES OR BE IMMEDIATELY AND CONTINUOUSLY AVAILABLE TO
13 THE SUPERVISED INDIVIDUAL BY MEANS OF TWO-WAY, REAL-TIME
14 AUDIOVISUAL TECHNOLOGY THAT ALLOWS FOR DIRECT,
15 CONTEMPORANEOUS INTERACTION BY SIGHT AND SOUND BETWEEN THE
16 QUALIFIED SUPERVISOR AND THE SUPERVISED INDIVIDUAL. IF THE
17 QUALIFIED SUPERVISOR ASSIGNS A NUTRITION CARE SERVICE TO A
18 SUPERVISED INDIVIDUAL THAT IS TO BE PROVIDED IN A SETTING WHERE
19 THE QUALIFIED SUPERVISOR IS NOT ROUTINELY PRESENT, THE QUALIFIED
20 SUPERVISOR SHALL ENSURE THAT THE MEANS AND METHODS OF
21 SUPERVISION ARE ADEQUATE TO ENSURE APPROPRIATE PATIENT CARE,
22 WHICH MAY INCLUDE SYNCHRONOUS VIDEOCONFERENCING OR ANOTHER
23 METHOD OF COMMUNICATION AND OVERSIGHT THAT IS APPROPRIATE TO
24 THE CARE SETTING AND THE EDUCATION AND EXPERIENCE OF THE
25 SUPERVISED INDIVIDUAL.

26 (f) A QUALIFIED SUPERVISOR SHALL REVIEW ON A REGULAR BASIS
27 THE CHARTS, RECORDS, AND CLINICAL NOTES OF THE SUPERVISED
28 INDIVIDUALS AND MAINTAIN RESPONSIBILITY FOR THE SUPERVISED
29 INDIVIDUALS' CLINICAL RECORD KEEPING.

30 (g) A QUALIFIED SUPERVISOR SHALL BE AVAILABLE TO RENDER
31 ASSISTANCE DURING THE PROVISION OF NUTRITION CARE SERVICES WHEN
32 REQUESTED BY A PATIENT OR SHALL HAVE ARRANGED FOR ANOTHER
33 QUALIFIED PRACTITIONER LAWFULLY ABLE TO RENDER NUTRITION CARE
34 SERVICES TO BE AVAILABLE IN THE ABSENCE OF THE QUALIFIED
35 SUPERVISOR.

36 (h) A QUALIFIED SUPERVISOR SHALL LIMIT THE ASSIGNMENT OF
37 NUTRITION CARE SERVICES TO THOSE SERVICES THAT ARE WITHIN THE
38 TRAINING AND EXPERIENCE OF THE SUPERVISED INDIVIDUAL AND
39 CUSTOMARY TO THE PRACTICE OF THE QUALIFIED SUPERVISOR.

40 **12-223-113. Exemptions.** (1) THIS ARTICLE 223 DOES NOT
41 AFFECT OR PREVENT:

42 (a) A HEALTH-CARE PROFESSIONAL LICENSED UNDER THIS TITLE 12
43 AND PRACTICING IN THIS STATE FROM ENGAGING IN THE PRACTICE OF

1 MEDICAL NUTRITION THERAPY WHEN MEDICAL NUTRITION THERAPY IS
2 WITHIN THE INDIVIDUAL'S LICENSED SCOPE OF PRACTICE AND IS
3 INCIDENTAL TO THE PRACTICE FOR WHICH THEY ARE LICENSED; EXCEPT
4 THAT SUCH INDIVIDUAL SHALL NOT REPRESENT THEMSELF USING TITLES
5 PROTECTED UNDER SECTION 12-223-111;

6 (b) A STUDENT OR TRAINEE FROM ENGAGING IN THE PRACTICE OF
7 MEDICAL NUTRITION THERAPY, IF:

8 (I) THE STUDENT OR TRAINEE PRACTICES UNDER THIS SUBSECTION
9 (1)(b) AS PART OF A COURSE OF STUDY OR AS PART OF A PLANNED,
10 CONTINUOUS SUPERVISED PRACTICE EXPERIENCE TO SATISFY
11 EDUCATIONAL OR SUPERVISED PRACTICE EXPERIENCE REQUIREMENTS
12 DESCRIBED IN SECTION 12-223-107 (1)(a) OR 12-223-108 (1)(b);

13 (II) THE STUDENT OR TRAINEE WHO IS COMPLETING THE
14 SUPERVISED PRACTICE EXPERIENCE REQUIRED UNDER SECTION 12-223-107
15 (1)(a)(II) OR 12-223-108 (1)(b) PRACTICES UNDER THIS SUBSECTION (1)(b)
16 NOT MORE THAN FIVE YEARS AFTER COMPLETING THE EDUCATIONAL
17 REQUIREMENTS UNDER SECTION 12-223-107 (1)(a)(I) OR 12-223-108
18 (1)(a);

19 (III) THE STUDENT OR TRAINEE PRACTICES UNDER THIS
20 SUBSECTION (1)(b) ONLY WHILE SUPERVISED BY A QUALIFIED SUPERVISOR;

21 (IV) THE STUDENT OR TRAINEE DOES NOT ENGAGE IN THE
22 UNRESTRICTED PRACTICE OF MEDICAL NUTRITION THERAPY; AND

23 (V) WHILE PRACTICING UNDER THIS SUBSECTION (1)(b), THE
24 STUDENT OR TRAINEE USES A TITLE THAT CLEARLY INDICATES THEIR
25 STATUS AS A STUDENT, INTERN, TRAINEE, OR SUPERVISED INDIVIDUAL;

26 (c) A DIETITIAN OR NUTRITIONIST WHO IS SERVING IN THE ARMED
27 FORCES OR THE UNITED STATES PUBLIC HEALTH SERVICE OR IS EMPLOYED
28 BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS FROM
29 ENGAGING IN THE PRACTICE OF MEDICAL NUTRITION THERAPY OR USING
30 GOVERNMENT-ISSUED TITLES, PROVIDED THE PRACTICE OR TITLE USE IS
31 RELATED TO SUCH SERVICE OR EMPLOYMENT;

32 (d) AN INDIVIDUAL WHO IS EMPLOYED BY, OR WHO CONTRACTS
33 WITH, THE STATE, A COUNTY, A MUNICIPAL AGENCY, OR ANOTHER
34 POLITICAL SUBDIVISION, FOR THE PURPOSES OF PROVIDING NUTRITION
35 CARE SERVICES FOR THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM
36 FOR WOMEN, INFANTS, AND CHILDREN, CREATED PURSUANT TO 42 U.S.C.
37 SEC. 1786, AND WHO IS AUTHORIZED WITHIN THE DISCHARGE OF THEIR
38 OFFICIAL DUTIES TO USE THE TITLE "NUTRITIONIST" FROM PROVIDING
39 NUTRITION CARE SERVICES WITHIN THE DISCHARGE OF THEIR OFFICIAL
40 DUTIES;

41 (e) AN INDIVIDUAL WHO DOES NOT REPRESENT THEMSELF USING
42 TITLES PROTECTED UNDER SECTION 12-223-111 FROM PROVIDING MEDICAL
43 WEIGHT CONTROL FOR OBESITY AS PART OF THE FOLLOWING:

1 (I) AN INSTRUCTIONAL PROGRAM THAT HAS BEEN APPROVED IN
2 WRITING BY AT LEAST ONE OF THE FOLLOWING INDIVIDUALS:
3 (A) A DIETITIAN OR NUTRITIONIST LICENSED IN THIS STATE; OR
4 (B) A HEALTH-CARE PROFESSIONAL LICENSED OR CERTIFIED IN
5 THIS STATE WHOSE AUTHORIZED SCOPE OF PRACTICE INCLUDES MEDICAL
6 NUTRITION THERAPY; OR
7 (II) A PLAN OF CARE THAT IS OVERSEEN BY A HEALTH-CARE
8 PROFESSIONAL LICENSED IN THIS STATE WHOSE SCOPE OF PRACTICE
9 OTHERWISE AUTHORIZES THE HEALTH-CARE PROFESSIONAL TO PROVIDE
10 AND DELEGATE MEDICAL NUTRITION THERAPY, IF THE MEDICAL WEIGHT
11 CONTROL SERVICES ARE NOT DISCRETIONARY AND DO NOT REQUIRE THE
12 EXERCISE OF PROFESSIONAL JUDGMENT;
13 (f) AN INDIVIDUAL WHO DOES NOT REPRESENT THEMSELF USING
14 TITLES PROTECTED UNDER SECTION 12-223-111 FROM ASSISTING WITH THE
15 PROVISION OF MEDICAL NUTRITION THERAPY IF THE INDIVIDUAL PERFORMS
16 ONLY SUPPORT ACTIVITIES THAT ARE NOT DISCRETIONARY AND THAT DO
17 NOT REQUIRE THE EXERCISE OF PROFESSIONAL JUDGMENT TO PERFORM,
18 AND THE INDIVIDUAL IS DIRECTLY SUPERVISED BY ONE OF THE FOLLOWING
19 LICENSED PRACTITIONERS ACTING WITHIN THE SCOPE OF THE
20 PRACTITIONER'S LICENSE:
21 (I) A LICENSED DIETITIAN;
22 (II) A LICENSED NUTRITIONIST; OR
23 (III) A HEALTH-CARE PROFESSIONAL LICENSED IN THIS STATE;
24 (g) AN INDIVIDUAL FROM DISSEMINATING NONINDIVIDUALIZED,
25 WRITTEN, GENERAL NONMEDICAL NUTRITION INFORMATION IN
26 CONNECTION WITH THE MARKETING AND DISTRIBUTION OF DIETARY
27 SUPPLEMENTS, FOOD, HERBS, OR FOOD MATERIALS, INCLUDING
28 EXPLANATIONS OF THEIR FEDERALLY REGULATED LABEL CLAIMS, THEIR
29 KNOWN DRUG-NUTRIENT INTERACTIONS, THEIR ROLE IN VARIOUS DIETS, OR
30 SUGGESTIONS AS HOW TO BEST USE AND COMBINE THEM, SO LONG AS SUCH
31 INFORMATION DOES NOT CONSTITUTE MEDICAL NUTRITION THERAPY AND
32 THE INDIVIDUAL DOES NOT REPRESENT THEMSELF USING TITLES
33 PROTECTED UNDER SECTION 12-223-111;
34 (h) AN INDIVIDUAL FROM PROVIDING INDIVIDUALIZED NUTRITION
35 ASSESSMENTS AND INTERVENTIONS FOR WELLNESS AND PRIMARY
36 PREVENTION OF CHRONIC DISEASE, HEALTH COACHING, HOLISTIC AND
37 WELLNESS EDUCATION, GUIDANCE, MOTIVATION, BEHAVIOR CHANGE
38 MANAGEMENT, SERVICES FOR NONMEDICAL WEIGHT CONTROL, OR OTHER
39 NUTRITION CARE SERVICES SO LONG AS ALL THE FOLLOWING APPLY:
40 (I) THE SERVICES DO NOT CONSTITUTE MEDICAL NUTRITION
41 THERAPY;
42 (II) THE INDIVIDUAL DOES NOT REPRESENT THEMSELF USING
43 TITLES PROTECTED UNDER SECTION 12-223-111; AND

1 (III) THE INDIVIDUAL DOES NOT HOLD THEMSELF OUT AS LICENSED
2 OR QUALIFIED TO ENGAGE IN THE PRACTICE OF MEDICAL NUTRITION
3 THERAPY; AND

4 (i) AN OUT-OF-STATE LICENSED PRACTITIONER FROM PROVIDING
5 MEDICAL NUTRITION THERAPY SERVICES VIA TELEHEALTH TO A PATIENT
6 LOCATED IN THIS STATE IF THE OUT-OF-STATE LICENSED PRACTITIONER:

7 (I) IS LICENSED IN THIS STATE AS A LICENSED DIETITIAN OR
8 LICENSED NUTRITIONIST OR HAS OBTAINED A DIETITIAN LICENSE
9 COMPACT PRIVILEGE; OR

10 (II) IS A HEALTH-CARE PROFESSIONAL LICENSED OR CERTIFIED IN
11 GOOD STANDING IN A STATE OR TERRITORY, WITH A LICENSED OR
12 CERTIFIED SCOPE OF PRACTICE THAT INCLUDES THE PROVISION OF MEDICAL
13 NUTRITION THERAPY AND MEDICAL NUTRITION THERAPY SERVICES VIA
14 TELEHEALTH:

15 (A) IN CONSULTATION WITH A MEDICAL NUTRITION THERAPY
16 PRACTITIONER LICENSED IN THIS STATE WHO HAS A
17 PRACTITIONER-PATIENT RELATIONSHIP WITH THE PATIENT;

18 (B) FOR A PATIENT WITH WHOM THE LICENSED PRACTITIONER HAS
19 A CURRENT PRACTITIONER-PATIENT RELATIONSHIP, AND THE PATIENT IS
20 TEMPORARILY PRESENT IN THIS STATE; OR

21 (C) PURSUANT TO A CURRENT PRACTITIONER-PATIENT
22 RELATIONSHIP, AND SUCH CARE IS LIMITED TO TEMPORARY OR
23 SHORT-TERM FOLLOW-UP MEDICAL NUTRITION THERAPY SERVICES TO
24 ENSURE CONTINUITY OF CARE.

25 (2) BY ENGAGING IN TELEHEALTH WITH A PATIENT LOCATED IN
26 THIS STATE, A LICENSED PRACTITIONER EXEMPTED FROM COLORADO
27 LICENSE UNDER SUBSECTION (1)(i)(II) OF THIS SECTION CONSENTS TO
28 THE APPLICABLE COLORADO LAWS, RULES, AND REGULATIONS GOVERNING
29 THE LICENSED PRACTITIONER'S PROFESSION; THE JURISDICTION OF
30 COLORADO; AND THE JURISDICTION OF THE APPLICABLE LICENSING BOARD
31 REGULATING THE LICENSED PRACTITIONER'S PROFESSION, INCLUDING THE
32 LICENSING BOARD'S COMPLAINT, INVESTIGATION, AND HEARING PROCESS
33 AND ABILITY TO SEEK INJUNCTIONS AND IMPOSE CIVIL PENALTIES AND
34 FINES.

35 **12-223-114. License expiration - license renewal - continuing**
36 **education - rules.** (1) THE DIRECTOR MAY RENEW LICENSES UPON
37 SATISFACTORY COMPLETION OF THE RENEWAL APPLICATION, PAYMENT OF
38 THE RENEWAL FEE, AND THE SUCCESSFUL COMPLETION OF CONTINUING
39 EDUCATION REQUIREMENTS, INCLUDING AT LEAST SEVENTY-FIVE HOURS
40 OF CONTINUING EDUCATION EVERY FIVE YEARS, AS ADOPTED BY RULE.

41 (2) THE DIRECTOR SHALL ADOPT RULES ESTABLISHING CONTINUING
42 EDUCATION REQUIREMENTS FOR RENEWING LICENSES.

43 **12-223-115. Penalties.** (1) AN INDIVIDUAL WHO PRACTICES OR

1 OFFERS OR ATTEMPTS TO PRACTICE IN VIOLATION OF SECTION 12-223-111
2 COMMITS A CLASS 2 MISDEMEANOR PURSUANT TO SECTION 12-20-407
3 (1)(a)(V)(Y).

4 (2) IN ADDITION TO OTHER PENALTIES OR REMEDIES IMPOSED
5 PURSUANT TO, OR RULES ADOPTED UNDER, THIS ARTICLE 223, THE
6 DIRECTOR MAY IMPOSE AN ADMINISTRATIVE FINE IN ACCORDANCE WITH
7 SECTION 12-20-404 (1)(c) AGAINST AN INDIVIDUAL WHO VIOLATES A
8 PROVISION OF THIS ARTICLE 223.

9 (3) IN ADDITION TO OTHER PENALTIES OR REMEDIES PURSUANT TO,
10 OR RULES ADOPTED UNDER, THIS ARTICLE 223, THE DIRECTOR MAY ASSESS
11 AND COLLECT ALL COSTS INCURRED IN CONNECTION WITH DISCIPLINARY
12 ACTIONS, INCLUDING INVESTIGATOR FEES, STENOGRAPHER FEES,
13 ATTORNEY FEES, AND HEARING COSTS.

14 **12-223-116. Repeal of article - review of functions.** THIS
15 ARTICLE 223 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2035. BEFORE THE
16 REPEAL, THIS ARTICLE 223 IS SCHEDULED FOR REVIEW IN ACCORDANCE
17 WITH SECTION 24-34-104.

18 **SECTION 2.** In Colorado Revised Statutes, 12-20-202, **amend**
19 (3)(e)(X) and (3)(e)(XI); and **add** (3)(e)(XII) as follows:

20 **12-20-202. Licenses, certifications, and registrations - renewal**
21 **- reinstatement - fees - occupational credential portability program**
22 **- exceptions for military personnel, spouses, gold star military**
23 **spouses, and dependents - rules - consideration of criminal**
24 **convictions or driver's history - executive director authority -**
25 **definitions. (3) Occupational credential portability program -**
26 **definitions.** (e) Subsections (3)(a) to (3)(d) of this section do not apply
27 to the following professions or occupations:

28 (X) Direct-entry midwives, regulated pursuant to article 225 of
29 this title 12; ~~or~~

30 (XI) Surgical assistants and surgical technologists, regulated
31 pursuant to article 310 of this title 12; OR

32 (XII) DIETITIANS AND NUTRITIONISTS, REGULATED PURSUANT TO
33 ARTICLE 223 OF THIS TITLE 12.

34 **SECTION 3.** In Colorado Revised Statutes, 12-20-407, **add**
35 (1)(a)(V)(Y) as follows:

36 **12-20-407. Unauthorized practice of profession or occupation**
37 **- penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor
38 and shall be punished as provided in section 18-1.3-501 if the person:

39 (V) Practices or offers or attempts to practice any of the following
40 professions or occupations without an active license, certification, or
41 registration issued under the part or article of this title 12 governing the
42 particular profession or occupation:

43 (Y) MEDICAL NUTRITION THERAPY, AS REGULATED UNDER

1 ARTICLE 223 OF THIS TITLE 12.

2 **SECTION 4.** In Colorado Revised Statutes, 6-1-724, **amend**
3 (6)(s) and (6)(t); and **add** (6)(u) as follows:

4 **6-1-724. Unlicensed alternative health-care practitioners -**
5 **deceptive trade practices - short title - legislative declaration -**
6 **definitions.** (6) A complementary and alternative health-care practitioner
7 providing complementary and alternative health-care services under this
8 section who is not licensed, certified, or registered by the state shall not:

9 (s) Recommend the discontinuation of a course of care, including
10 a prescription drug, that was recommended or prescribed by a health-care
11 professional; ~~or~~

12 (t) Hold ~~oneself~~ THEMSELF out as OR state, indicate, advertise, or
13 imply to a client or prospective client that ~~he or she~~ THE HEALTH-CARE
14 PRACTITIONER is a physician, surgeon, or both, or that ~~he or she is~~ THEY
15 ARE a health-care professional who is licensed, certified, or registered by
16 the state; OR

17 (u) PROVIDE MEDICAL NUTRITION THERAPY, AS REGULATED UNDER
18 ARTICLE 223 OF TITLE 12, UNLESS EXEMPT FROM REGULATION PURSUANT
19 TO SECTION 12-223-113.

20 **SECTION 5.** In Colorado Revised Statutes, **repeal** 6-1-707
21 (1)(b).

22 **SECTION 6.** In Colorado Revised Statutes, 24-34-104, **add**
23 (36)(a)(VII) as follows:

24 **24-34-104. General assembly review of regulatory agencies**
25 **and functions for repeal, continuation, or reestablishment - legislative**
26 **declaration - repeal.** (36) (a) The following agencies, functions, or both
27 are scheduled for repeal on September 1, 2035:

28 (VII) THE REGULATION OF DIETITIANS AND NUTRITIONISTS IN
29 ACCORDANCE WITH ARTICLE 223 OF TITLE 12.

30 **SECTION 7. Appropriation.** (1) For the 2025-26 state fiscal
31 year, \$100,934 is appropriated to the department of regulatory agencies.
32 This appropriation is from the division of professions and occupations
33 cash fund created in section 12-20-105 (3), C.R.S. To implement this act,
34 the department may use this appropriation as follows:

35 (a) \$53,152 for use by the division of professions and occupations
36 for personal services, which amount is based on an assumption that the
37 division will require an additional 0.5 FTE;

38 (b) \$7,310 for use by the division of professions and occupations
39 for operating expenses; and

40 (c) \$40,122 for the purchase of legal services.

41 (2) For the 2025-26 state fiscal year, \$40,122 is appropriated to
42 the department of law. This appropriation is from reappropriated funds
43 received from the department of regulatory agencies under subsection

1 (1)(c) of this section and is based on an assumption that the department
2 of law will require an additional 0.2 FTE. To implement this act, the
3 department of law may use this appropriation to provide legal services for
4 the department of regulatory agencies.

5 **SECTION 8. Act subject to petition - effective date -**
6 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
7 the expiration of the ninety-day period after final adjournment of the
8 general assembly; except that, if a referendum petition is filed pursuant
9 to section 1 (3) of article V of the state constitution against this act or an
10 item, section, or part of this act within such period, then the act, item,
11 section, or part will not take effect unless approved by the people at the
12 general election to be held in November 2026 and, in such case, will take
13 effect on the date of the official declaration of the vote thereon by the
14 governor.

15 (2) This act applies to offenses committed on or after the
16 applicable effective date of this act."

17 Page 1 of the bill, line 101, strike "THERAPY." and substitute "THERAPY,
18 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

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