

**NOTE:** This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 25-1220

BY REPRESENTATIVE(S) McCormick and Hartsook, Duran, Lindsay, Ricks;  
also SENATOR(S) Pelton B. and Mullica, Cutter, Michaelson Jenet.

CONCERNING THE REGULATION OF MEDICAL NUTRITION THERAPY, AND, IN  
CONNECTION THEREWITH, MAKING AN APPROPRIATION.

*Be it enacted by the General Assembly of the State of Colorado:*

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

**ARTICLE 223**  
**Dietitians and Nutritionists**

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

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

(a) THE PRACTICE OF MEDICAL NUTRITION THERAPY IS ESSENTIAL TO

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

PROTECTING AND PROMOTING THE HEALTH, SAFETY, AND WELFARE OF THE PEOPLE OF COLORADO. THE ABSENCE OF LICENSURE AND REGULATION FOR INDIVIDUALS ENGAGED IN THIS PRACTICE HAS RESULTED IN SIGNIFICANT RISKS, INCLUDING THE PROVISION OF CARE BY UNQUALIFIED PRACTITIONERS, INEQUITABLE ACCESS TO CRUCIAL NUTRITION SERVICES IN UNDERSERVED COMMUNITIES, AND INEFFICIENT UTILIZATION OF REGISTERED DIETITIANS IN HEALTH-CARE SETTINGS.

(b) TO MITIGATE THESE RISKS AND ENSURE THE DELIVERY OF SAFE, HIGH-QUALITY NUTRITION CARE, IT IS NECESSARY TO ESTABLISH A LICENSURE FRAMEWORK THAT FORMALLY RECOGNIZES AND REGULATES THE PRACTICE OF MEDICAL NUTRITION THERAPY. THIS FRAMEWORK WILL PROTECT CONSUMERS FROM HARM, INCREASE ACCESS TO ESSENTIAL CARE, FACILITATE PARTICIPATION IN THE NATIONAL DIETITIAN LICENSURE COMPACT, AND ENABLE COLORADO TO ALIGN WITH NATIONAL STANDARDS, THEREBY EXPANDING THE WORKFORCE OF QUALIFIED PRACTITIONERS AND IMPROVING OUTCOMES FOR PATIENTS ACROSS THE STATE.

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

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

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

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

(2) "DEGREE" MEANS A DEGREE RECEIVED FROM A COLLEGE OR UNIVERSITY ACCREDITED BY THE APPROPRIATE UNITED STATES REGIONALLY ACCREDITED BODY RECOGNIZED BY THE COUNCIL FOR HIGHER EDUCATION ACCREDITATION AND THE UNITED STATES DEPARTMENT OF EDUCATION AT

THE TIME THE DEGREE WAS RECEIVED OR A VALIDATED INTERNATIONAL EQUIVALENT.

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

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

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

(6) "MEDICAL NUTRITION THERAPY" MEANS THE PROVISION OF ONE OR MORE OF THE FOLLOWING NUTRITION CARE SERVICES FOR THE SPECIFIC INTENT OF MANAGEMENT OR TREATMENT OF A DISEASE OR MEDICAL CONDITION:

- (a) NUTRITION ASSESSMENT;
- (b) NUTRITION DIAGNOSIS;
- (c) NUTRITION INTERVENTION; OR
- (d) NUTRITION MONITORING AND EVALUATION.

(7) "MEDICAL WEIGHT CONTROL" MEANS MEDICAL NUTRITION THERAPY PROVIDED FOR THE PURPOSE OF REDUCING, MAINTAINING, OR GAINING WEIGHT.

(8) (a) "NONMEDICAL WEIGHT CONTROL" MEANS NUTRITION CARE SERVICES FOR THE PURPOSE OF REDUCING, MAINTAINING, OR GAINING WEIGHT THAT DO NOT CONSTITUTE THE TREATMENT OR MANAGEMENT OF A

DISEASE OR MEDICAL CONDITION.

(b) "NONMEDICAL WEIGHT CONTROL" INCLUDES WEIGHT CONTROL SERVICES FOR HEALTHY POPULATION GROUPS TO ACHIEVE OR MAINTAIN A HEALTHY WEIGHT.

(9) "NUTRITION" MEANS THE INTEGRATION AND APPLICATION OF SCIENTIFIC PRINCIPLES DERIVED FROM THE STUDY OF NUTRITION SCIENCE, CELLULAR AND SYSTEMIC METABOLISM, BIOCHEMISTRY, PHYSIOLOGY, AND BEHAVIORAL SCIENCES FOR ACHIEVING AND MAINTAINING HEALTH THROUGHOUT THE LIFESPAN OF AN INDIVIDUAL.

(10)(a) "NUTRITION ASSESSMENT" MEANS THE ONGOING, DYNAMIC, AND SYSTEMATIC PROCESS OF ORDERING, OBTAINING, VERIFYING, AND INTERPRETING BIOCHEMICAL, ANTHROPOMETRIC, PHYSICAL, NUTRIGENOMIC, AND DIETARY DATA TO MAKE DECISIONS ABOUT THE NATURE AND CAUSE OF NUTRITION-RELATED PROBLEMS RELATIVE TO PATIENT AND COMMUNITY NEEDS.

(b) "NUTRITION ASSESSMENT" INVOLVES NOT ONLY INITIAL DATA COLLECTION BUT ALSO REASSESSMENT AND ANALYSIS OF PATIENT OR COMMUNITY NEEDS AND PROVIDES THE FOUNDATION FOR NUTRITION DIAGNOSIS AND NUTRITIONAL RECOMMENDATIONS AND ORDERS.

(c) "NUTRITION ASSESSMENT" MAY REQUIRE ORDERING LABORATORY TESTS TO CHECK AND TRACK NUTRITIONAL STATUSES. THE COLLECTION OF NUTRITION-RELATED DATA DOES NOT, BY ITSELF, CONSTITUTE NUTRITION ASSESSMENT.

(11) "NUTRITION CARE SERVICES" MEANS ALL OR A PART OF THE FOLLOWING SERVICES PROVIDED WITHIN A SYSTEMATIC PROCESS:

(a) ASSESSING AND EVALUATING THE NUTRITIONAL NEEDS OF INDIVIDUALS AND GROUPS AND DETERMINING RESOURCES AND CONSTRAINTS IN A PRACTICE SETTING, INCLUDING THE ORDERING OF NUTRITION-RELATED LABORATORY TESTS TO CHECK AND TRACK NUTRITION STATUSES;

(b) IDENTIFYING NUTRITION PROBLEMS AND ESTABLISHING PRIORITIES, GOALS, AND OBJECTIVES THAT MEET NUTRITIONAL NEEDS AND ARE CONSISTENT WITH AVAILABLE RESOURCES AND CONSTRAINTS;

(c) CREATING INDIVIDUALIZED DIETARY PLANS AND ISSUING AND IMPLEMENTING ORDERS TO MEET THE NUTRITIONAL NEEDS OF HEALTHY INDIVIDUALS AND INDIVIDUALS WITH DISEASE STATES OR MEDICAL CONDITIONS, INCLUDING ORDERING THERAPEUTIC DIETS AND MONITORING THE DIETS' EFFECTIVENESS;

(d) DETERMINING AND PROVIDING APPROPRIATE NUTRITION INTERVENTION IN HEALTH AND DISEASE, INCLUDING NUTRITION COUNSELING ON FOOD AND PRESCRIPTION DRUG INTERACTIONS;

(e) DEVELOPING, IMPLEMENTING, AND MANAGING NUTRITION CARE SYSTEMS; OR

(f) EVALUATING, MAKING CHANGES IN, AND MAINTAINING APPROPRIATE STANDARDS OF QUALITY IN FOOD AND NUTRITION SERVICES.

(12) "NUTRITION COUNSELING" MEANS A SUPPORTIVE PROCESS, CHARACTERIZED BY A COLLABORATIVE COUNSELOR-PATIENT RELATIONSHIP WITH INDIVIDUALS OR GROUPS, THAT ESTABLISHES FOOD AND NUTRITION PRIORITIES, GOALS, AND INDIVIDUALIZED ACTION PLANS AND GENERAL PHYSICAL ACTIVITY GUIDANCE, WHICH ACKNOWLEDGES AND FOSTERS RESPONSIBILITY FOR SELF-CARE, PROMOTES HEALTH AND WELLNESS, OR TREATS OR MANAGES AN EXISTING DISEASE OR MEDICAL CONDITION.

(13) "NUTRITION DIAGNOSIS" MEANS IDENTIFYING AND LABELING NUTRITION PROBLEMS MANAGED AND TREATED BY A LICENSED DIETITIAN OR A LICENSED NUTRITIONIST BUT DOES NOT INCLUDE A MEDICAL DIAGNOSIS OF THE HEALTH STATUS OF AN INDIVIDUAL.

(14) (a) "NUTRITION INTERVENTION" MEANS PURPOSEFULLY PLANNED ACTIONS, INCLUDING NUTRITION COUNSELING, INTENDED TO POSITIVELY CHANGE A NUTRITION-RELATED BEHAVIOR, RISK FACTOR, ENVIRONMENTAL CONDITION, OR ASPECT OF THE HEALTH STATUS OF AN INDIVIDUAL AND THE INDIVIDUAL'S FAMILY OR CAREGIVERS, TARGET GROUPS, OR THE COMMUNITY AT LARGE.

(b) "NUTRITION INTERVENTION" INCLUDES APPROVING, ORDERING, AND MONITORING THERAPEUTIC DIETS AND COUNSELING ON FOOD AND PRESCRIPTION DRUG INTERACTIONS.

(15) "NUTRITION MONITORING AND EVALUATION" MEANS IDENTIFYING PATIENT OUTCOMES RELEVANT TO A NUTRITION DIAGNOSIS, INTERVENTION PLANS, AND GOALS AND COMPARING THOSE PATIENT OUTCOMES WITH PREVIOUS STATUSES, INTERVENTION GOALS, OR A REFERENCE STANDARD TO DETERMINE THE PROGRESS MADE IN ACHIEVING THE DESIRED OUTCOMES OF NUTRITION CARE AND WHETHER PLANNED INTERVENTIONS SHOULD BE CONTINUED OR REVISED.

(16) "PATIENT" MEANS AN INDIVIDUAL RECIPIENT OF NUTRITION CARE SERVICES.

(17) "PRACTICE OF DIETETICS":

(a) INCLUDES THE PROVISION OF NUTRITION CARE SERVICES, INCLUDING MEDICAL NUTRITION THERAPY, IN PERSON OR VIA TELEHEALTH, TO PREVENT, MANAGE, OR TREAT CHRONIC AND ACUTE DISEASES OR MEDICAL CONDITIONS AND PROMOTE WELLNESS IN INPATIENT AND OUTPATIENT SETTINGS; AND

(b) ENCOMPASSES THE DEVELOPMENT AND ORDERING OF THERAPEUTIC DIETS VIA ORAL, ENTERAL, AND PARENTERAL ROUTES AND PROVIDING OTHER ADVANCED MEDICAL NUTRITION THERAPY AND RELATED SUPPORT ACTIVITIES CONSISTENT WITH CURRENT COMPETENCIES REQUIRED OF ACADEMIC AND SUPERVISED PRACTICE PROGRAMS ACCREDITED BY THE ACCREDITATION COUNCIL FOR EDUCATION IN NUTRITION AND DIETETICS AND IN ACCORDANCE WITH THE "SCOPE AND STANDARDS OF PRACTICE FOR THE REGISTERED DIETITIAN NUTRITIONIST" ESTABLISHED BY THE ACADEMY OF NUTRITION AND DIETETICS.

(18) "PRACTICE OF NUTRITION":

(a) INCLUDES THE PROVISION OF NUTRITION CARE SERVICES, INCLUDING MEDICAL NUTRITION THERAPY, IN PERSON OR VIA TELEHEALTH, TO PREVENT, MANAGE, OR TREAT CHRONIC DISEASES OR MEDICAL CONDITIONS AND PROMOTE WELLNESS IN OUTPATIENT SETTINGS; AND

(b) ENCOMPASSES, CONSISTENT WITH A LEVEL OF COMPETENCE:

(I) ORDERING ORAL THERAPEUTIC DIETS;

(II) ORDERING MEDICAL LABORATORY TESTS RELATED TO NUTRITIONAL THERAPEUTIC TREATMENTS; AND

(III) RECOMMENDING VITAMINS, MINERALS, AND OTHER DIETARY SUPPLEMENTS.

(19) "QUALIFIED SUPERVISOR" MEANS AN INDIVIDUAL PROVIDING SUPERVISION WHO ASSUMES FULL PROFESSIONAL RESPONSIBILITY FOR THE WORK OF THE SUPERVISED INDIVIDUAL BY VERIFYING, DIRECTING, AND APPROVING THE PROVIDED NUTRITION CARE SERVICES, MEDICAL NUTRITION THERAPY, AND OTHER WORK BEING SUPERVISED AND MEETS THE REQUIREMENTS OF SECTION 12-223-112.

(20) "REGISTERED DIETITIAN" MEANS AN INDIVIDUAL WHO IS CREDENTIALLED BY THE COMMISSION ON DIETETIC REGISTRATION, OR ITS SUCCESSOR ORGANIZATION, AS A REGISTERED DIETITIAN OR A REGISTERED DIETITIAN NUTRITIONIST AND IS AUTHORIZED TO USE SUCH TITLE AND THE CORRESPONDING ABBREVIATIONS "RD" OR "RDN".

(21) "TELEHEALTH" HAS THE MEANING SET FORTH IN SECTION 10-16-123 (4)(e).

(22) "UNRESTRICTED PRACTICE OF MEDICAL NUTRITION THERAPY" MEANS THE PROVISION OF MEDICAL NUTRITION THERAPY BY AN INDIVIDUAL WHO IS RESPONSIBLE FOR THE INDIVIDUAL'S OWN PRACTICE OR TREATMENT PROCEDURES.

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

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

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

(c) ADOPT RULES PURSUANT TO SECTION 12-20-204 TO PROVIDE FOR

THE ENFORCEMENT OF THIS ARTICLE 223;

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

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

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

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

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

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

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

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

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

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

**12-223-106. Dietetics and nutrition advisory committee - members - repeal.** (1) THE DIETETICS AND NUTRITION ADVISORY COMMITTEE IS CREATED IN THE DIVISION AS THE ENTITY RESPONSIBLE FOR

ADVISING THE DIRECTOR IN THE REGULATION OF MEDICAL NUTRITION THERAPY AND THE IMPLEMENTATION OF THIS ARTICLE 223.

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

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

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

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

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

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

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

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

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

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

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

(I) A DIETITIAN OR A NUTRITIONIST;

(II) AN AGENT OR EMPLOYEE OF AN INDIVIDUAL ENGAGED IN THE PROFESSION OF DIETETICS OR NUTRITION;

(III) A LICENSED HEALTH-CARE PROFESSIONAL OR AN INDIVIDUAL ENROLLED IN A PROGRAM TO BECOME A LICENSED HEALTH-CARE PROFESSIONAL;

(IV) AN AGENT OR EMPLOYEE OF A HEALTH-CARE INSTITUTION, A HEALTH-CARE INSURER, OR A HEALTH-CARE PROFESSIONAL SCHOOL;

(V) A MEMBER OF AN ALLIED HEALTH PROFESSION OR AN INDIVIDUAL ENROLLED IN A PROGRAM TO BECOME A MEMBER OF AN ALLIED HEALTH PROFESSION; OR

(VI) AN UNREGULATED PROVIDER OF NUTRITION CARE SERVICES.

(d) (I) THE DIRECTOR SHALL MAKE THE INITIAL APPOINTMENTS TO THE ADVISORY COMMITTEE ON OR BEFORE SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ARTICLE 223.

(II) THE INITIAL TERM OF APPOINTMENT OF TWO LICENSED DIETITIANS APPOINTED PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION, ONE LICENSED NUTRITIONIST APPOINTED PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION, AND THE MEMBER REPRESENTING THE PUBLIC AT

LARGE APPOINTED PURSUANT TO SUBSECTION (2)(a)(IV) OF THIS SECTION IS TWO YEARS, WITH THE INITIAL TERM OF APPOINTMENT FOR THE REMAINING MEMBERS OF THE ADVISORY COMMITTEE BEING THREE YEARS.

(III) THIS SUBSECTION (2)(d) IS REPEALED, EFFECTIVE DECEMBER 1, 2030.

(e) (I) EACH MEMBER OF THE ADVISORY COMMITTEE SERVES AT THE PLEASURE OF THE DIRECTOR. EXCEPT AS PROVIDED IN SUBSECTION (2)(d) OF THIS SECTION, THE TERM OF APPOINTMENT IS THREE YEARS. A MEMBER SHALL NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

(II) EACH MEMBER OF THE ADVISORY COMMITTEE DOES NOT RECEIVE COMPENSATION FOR THEIR SERVICES BUT IS ENTITLED TO REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES THEY INCUR IN PERFORMING THEIR DUTIES.

(III) THE DIRECTOR SHALL CALL THE FIRST MEETING OF THE ADVISORY COMMITTEE NO LATER THAN THREE MONTHS AFTER THE DIRECTOR MAKES ALL OF THE INITIAL APPOINTMENTS TO THE ADVISORY COMMITTEE.

(IV) THE ADVISORY COMMITTEE SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS TO SERVE FOR A TERM NOT TO EXCEED ONE YEAR. A CHAIR SHALL NOT SERVE MORE THAN THREE CONSECUTIVE TERMS.

(V) THE ADVISORY COMMITTEE SHALL MEET AT LEAST ONCE EVERY CALENDAR YEAR, OR MORE FREQUENTLY AS DETERMINED NECESSARY BY THE DIRECTOR.

(3) THE CHAIR IS AN OFFICIAL REPRESENTATIVE OF THE ADVISORY COMMITTEE AND IS RESPONSIBLE FOR THE DAILY ACTIVITIES OF THE ADVISORY COMMITTEE AND ITS STAFF.

**12-223-107. Licensure of dietitians - qualifications - application.**

(1) AN APPLICANT FOR A LICENSE AS A DIETITIAN SHALL SUBMIT A COMPLETED APPLICATION AS REQUIRED BY THE DIRECTOR DEMONSTRATING THE APPLICANT IS CAPABLE AND PROFESSIONALLY COMPETENT TO SAFELY ENGAGE IN THE PRACTICES OF DIETETICS AND NUTRITION, SUBMIT THE FEES AS REQUIRED BY THE DIRECTOR, AND SUBMIT PROOF OF ONE OF THE FOLLOWING:

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

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

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

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

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

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

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

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

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

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

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

- (I) HUMAN NUTRITION;
- (II) FOODS AND NUTRITION;
- (III) COMMUNITY NUTRITION;
- (IV) PUBLIC HEALTH NUTRITION;
- (V) NUTRITION EDUCATION;
- (VI) NUTRITION;

- (VII) NUTRITION SCIENCE;
- (VIII) CLINICAL NUTRITION;
- (IX) APPLIED CLINICAL NUTRITION;
- (X) NUTRITION COUNSELING;
- (XI) NUTRITION AND FUNCTIONAL MEDICINE;
- (XII) NUTRITIONAL BIOCHEMISTRY;
- (XIII) NUTRITION AND INTEGRATIVE HEALTH; OR
- (XIV) A COMPARABLY TITLED MAJOR;

(b) SATISFACTORY COMPLETION OF A PLANNED, DOCUMENTED, AND CONTINUOUS SUPERVISED PRACTICE EXPERIENCE THAT DEMONSTRATES COMPETENCE IN PROVIDING NUTRITION CARE SERVICES AND MEDICAL NUTRITION THERAPY THAT IS APPROVED BY THE DIRECTOR AND MEETS THE FOLLOWING REQUIREMENTS REGARDING SUPERVISED PRACTICE EXPERIENCE:

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

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

- (A) NUTRITION ASSESSMENT;
- (B) NUTRITION INTERVENTION; AND
- (C) NUTRITION MONITORING AND EVALUATION;

(III) THE DIRECTOR DETERMINES THAT THE SUPERVISED PRACTICE EXPERIENCE HAS PREPARED THE APPLICANT TO PROVIDE NUTRITION CARE SERVICES FOR VARIOUS POPULATIONS OF DIVERSE CULTURES, OF GENDERS,

AND ACROSS THE LIFE CYCLE AND TO BE ABLE TO COMPETENTLY FORMULATE ACTIONABLE MEDICAL NUTRITION THERAPIES AND INTERVENTIONS, EDUCATION, COUNSELING, AND ONGOING CARE FOR THE PREVENTION, MODULATION, AND MANAGEMENT OF A RANGE OF CHRONIC MEDICAL CONDITIONS; AND

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

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

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

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

(2) TO COMPLY WITH THE EDUCATIONAL REQUIREMENTS SET FORTH IN SUBSECTION (1)(a) OF THIS SECTION AND REGARDLESS OF THE COURSE OF STUDY, THE APPLICANT SHALL HAVE COMPLETED COURSEWORK LEADING TO COMPETENCE IN MEDICAL NUTRITION THERAPY, INCLUDING BOTH OF THE FOLLOWING:

(a) FIFTEEN SEMESTER HOURS OF CLINICAL OR LIFE SCIENCES, SUCH AS COURSES IN CHEMISTRY, ORGANIC CHEMISTRY, BIOLOGY, MOLECULAR BIOLOGY, BIOTECHNOLOGY, BOTANY, GENETICS, GENOMICS, NEUROSCIENCE, EXPERIMENTAL SCIENCE, IMMUNOTHERAPY, PATHOLOGY, PHARMACOLOGY,

TOXICOLOGY, RESEARCH METHODS, APPLIED STATISTICS, BIOSTATISTICS, EPIDEMIOLOGY, ENERGY PRODUCTION, MOLECULAR PATHWAYS, HORMONE AND TRANSMITTER REGULATIONS AND IMBALANCE, AND PATHOPHYSIOLOGIC BASIS OF DISEASE. THREE SEMESTER HOURS MUST BE IN HUMAN ANATOMY AND PHYSIOLOGY OR THE EQUIVALENT.

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

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

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

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

- (A) HUMAN NUTRITION;
- (B) FOODS AND NUTRITION;
- (C) FOOD SYSTEMS MANAGEMENT;
- (D) NUTRITIONAL SCIENCE;
- (E) NUTRITIONAL EDUCATION;

- (F) COMMUNITY NUTRITION;
- (G) PUBLIC HEALTH NUTRITION;
- (H) NUTRITION EDUCATION;
- (I) NUTRITION;
- (J) NUTRITION SCIENCE;
- (K) CLINICAL NUTRITION;
- (L) APPLIED CLINICAL NUTRITION;
- (M) NUTRITION COUNSELING;
- (N) NUTRITION AND FUNCTIONAL MEDICINE;
- (O) NUTRITIONAL BIOCHEMISTRY;
- (P) NUTRITION AND INTEGRATIVE HEALTH; OR

(Q) AN EQUIVALENT COURSE OF STUDY LEADING TO COMPETENCE IN MEDICAL NUTRITION THERAPY;

(II) EMPLOYMENT, INCLUDING SELF-EMPLOYMENT, AT LEAST ON A HALF-TIME BASIS, TO PROVIDE NUTRITION CARE SERVICES FOR THE TREATMENT OR MANAGEMENT OF A DIAGNOSED DISEASE OR MEDICAL CONDITION FOR THREE OF THE FIVE YEARS IMMEDIATELY PRECEDING SEPTEMBER 1, 2026;

(III) PROVISION OF MEDICAL NUTRITION THERAPY TO RESIDENTS OF COLORADO WITHOUT SUPERVISION FOR AT LEAST SIX MONTHS IMMEDIATELY PRECEDING SEPTEMBER 1, 2026; AND

(IV) THE APPLICANT IS NOT A REGISTERED DIETITIAN.

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2028.

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

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

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

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

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

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

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

(f) BEING CONVICTED IN A COURT OF, OR HAVING ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE TO, A CRIME DIRECTLY RELATED TO THE DUTIES AND RESPONSIBILITIES OF A DIETITIAN OR NUTRITIONIST OR A CRIME THAT WAS VIOLENT OR SEXUAL IN NATURE.

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

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

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

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

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

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

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

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

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

(b) AN INDIVIDUAL SHALL NOT DESIGNATE THEMSELF OR HOLD THEMSELF OUT AS A LICENSED NUTRITIONIST OR USE OR ASSUME THE TITLE "LICENSED NUTRITIONIST" UNLESS THE INDIVIDUAL IS LICENSED UNDER THIS

ARTICLE 223.

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

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

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

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

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

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

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

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

(3) A QUALIFIED SUPERVISOR SHALL DEVELOP AND CARRY OUT A PROGRAM FOR ADVANCING AND OPTIMIZING THE QUALITY OF CARE PROVIDED BY A STUDENT OR TRAINEE BEING SUPERVISED. THE QUALIFIED SUPERVISOR AND THE STUDENT OR TRAINEE BEING SUPERVISED SHALL IDENTIFY AND DOCUMENT GOALS FOR SUPERVISED PRACTICE EXPERIENCE, THE ASSIGNMENT OF CLINICAL TASKS AS APPROPRIATE TO THE SUPERVISED INDIVIDUAL'S EVOLVING LEVEL OF COMPETENCE, THE SUPERVISED INDIVIDUAL'S RELATIONSHIP AND ACCESS TO THE QUALIFIED SUPERVISOR, AND A PROCESS FOR EVALUATING THE STUDENT OR TRAINEE'S PERFORMANCE.

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

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

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

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

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

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

(a) A HEALTH-CARE PROFESSIONAL LICENSED UNDER THIS TITLE 12 AND PRACTICING IN THIS STATE FROM ENGAGING IN THE PRACTICE OF MEDICAL NUTRITION THERAPY WHEN MEDICAL NUTRITION THERAPY IS WITHIN THE INDIVIDUAL'S LICENSED SCOPE OF PRACTICE AND IS INCIDENTAL TO THE PRACTICE FOR WHICH THEY ARE LICENSED; EXCEPT THAT SUCH INDIVIDUAL SHALL NOT REPRESENT THEMSELF USING TITLES PROTECTED UNDER SECTION 12-223-111;

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

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

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

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

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

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

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

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

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

(I) AN INSTRUCTIONAL PROGRAM THAT HAS BEEN APPROVED IN WRITING BY AT LEAST ONE OF THE FOLLOWING INDIVIDUALS:

(A) A DIETITIAN OR NUTRITIONIST LICENSED IN THIS STATE; OR

(B) A HEALTH-CARE PROFESSIONAL LICENSED OR CERTIFIED IN THIS STATE WHOSE AUTHORIZED SCOPE OF PRACTICE INCLUDES MEDICAL NUTRITION THERAPY; OR

(II) A PLAN OF CARE THAT IS OVERSEEN BY A HEALTH-CARE PROFESSIONAL LICENSED IN THIS STATE WHOSE SCOPE OF PRACTICE OTHERWISE AUTHORIZES THE HEALTH-CARE PROFESSIONAL TO PROVIDE AND DELEGATE MEDICAL NUTRITION THERAPY, IF THE MEDICAL WEIGHT CONTROL

SERVICES ARE NOT DISCRETIONARY AND DO NOT REQUIRE THE EXERCISE OF PROFESSIONAL JUDGMENT;

(f) AN INDIVIDUAL WHO DOES NOT REPRESENT THEMSELF USING TITLES PROTECTED UNDER SECTION 12-223-111 FROM ASSISTING WITH THE PROVISION OF MEDICAL NUTRITION THERAPY IF THE INDIVIDUAL PERFORMS ONLY SUPPORT ACTIVITIES THAT ARE NOT DISCRETIONARY AND THAT DO NOT REQUIRE THE EXERCISE OF PROFESSIONAL JUDGMENT TO PERFORM, AND THE INDIVIDUAL IS DIRECTLY SUPERVISED BY ONE OF THE FOLLOWING LICENSED PRACTITIONERS ACTING WITHIN THE SCOPE OF THE PRACTITIONER'S LICENSE:

(I) A LICENSED DIETITIAN;

(II) A LICENSED NUTRITIONIST; OR

(III) A HEALTH-CARE PROFESSIONAL LICENSED IN THIS STATE;

(g) AN INDIVIDUAL FROM DISSEMINATING NONINDIVIDUALIZED, WRITTEN, GENERAL NONMEDICAL NUTRITION INFORMATION IN CONNECTION WITH THE MARKETING AND DISTRIBUTION OF DIETARY SUPPLEMENTS, FOOD, HERBS, OR FOOD MATERIALS, INCLUDING EXPLANATIONS OF THEIR FEDERALLY REGULATED LABEL CLAIMS, THEIR KNOWN DRUG-NUTRIENT INTERACTIONS, THEIR ROLE IN VARIOUS DIETS, OR SUGGESTIONS AS HOW TO BEST USE AND COMBINE THEM, SO LONG AS SUCH INFORMATION DOES NOT CONSTITUTE MEDICAL NUTRITION THERAPY AND THE INDIVIDUAL DOES NOT REPRESENT THEMSELF USING TITLES PROTECTED UNDER SECTION 12-223-111;

(h) AN INDIVIDUAL FROM PROVIDING INDIVIDUALIZED NUTRITION ASSESSMENTS AND INTERVENTIONS FOR WELLNESS AND PRIMARY PREVENTION OF CHRONIC DISEASE, HEALTH COACHING, HOLISTIC AND WELLNESS EDUCATION, GUIDANCE, MOTIVATION, BEHAVIOR CHANGE MANAGEMENT, SERVICES FOR NONMEDICAL WEIGHT CONTROL, OR OTHER NUTRITION CARE SERVICES SO LONG AS ALL THE FOLLOWING APPLY:

(I) THE SERVICES ARE NOT SPECIFICALLY INTENDED TO CONSTITUTE OR DELIVER MEDICAL NUTRITION THERAPY;

(II) THE INDIVIDUAL DOES NOT REPRESENT THEMSELF USING TITLES PROTECTED UNDER SECTION 12-223-111; AND

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

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

(I) IS LICENSED IN THIS STATE AS A LICENSED DIETITIAN OR LICENSED NUTRITIONIST OR HAS OBTAINED A DIETITIAN LICENSURE COMPACT PRIVILEGE; OR

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

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

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

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

(j) NUTRITION CARE SERVICES PROVIDED IN ADHERENCE TO THE TENETS AND PRACTICES OF A BONA FIDE RELIGIOUS DENOMINATION, SECT, OR CHURCH; EXCEPT THAT AN INDIVIDUAL PROVIDING NUTRITION CARE SERVICES AS DESCRIBED IN THIS SUBSECTION (1)(j) SHALL NOT REPRESENT THEMSELF USING TITLES PROTECTED PURSUANT TO SECTION 12-223-111; AND

(k) THE DISSEMINATION OF SCIENTIFIC EXPLANATIONS OF THE FUNCTION AND STRUCTURE OF MOLECULES, IONS, CELLS, AND ORGANISMS RELATED TO AND INCLUDING THE STRUCTURE AND FUNCTION OF THE HUMAN

BODY. THIS SUBSECTION (1)(k) PROTECTS THE RIGHT TO APPLY THE PRINCIPLES OF PHYSIOLOGICAL STRUCTURE AND FUNCTION TO INDIVIDUAL, GROUP, AND COMMUNITY CIRCUMSTANCES TO EMPOWER HEALTHY PRACTICES AND SUPPORT IMPROVED HEALTH OUTCOMES IF THE EXPLANATIONS ARE NOT PROVIDED WITH THE SPECIFIC INTENT OF PROVIDING MEDICAL NUTRITION THERAPY.

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

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

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

**12-223-115. Penalties.** (1) AN INDIVIDUAL WHO PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE IN VIOLATION OF SECTION 12-223-111 COMMITS A CLASS 2 MISDEMEANOR PURSUANT TO SECTION 12-20-407 (1)(a)(V)(Y).

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

(3) IN ADDITION TO OTHER PENALTIES OR REMEDIES PURSUANT TO, OR RULES ADOPTED UNDER, THIS ARTICLE 223, THE DIRECTOR MAY ASSESS

AND COLLECT ALL COSTS INCURRED IN CONNECTION WITH DISCIPLINARY ACTIONS, INCLUDING INVESTIGATOR FEES, STENOGRAPHER FEES, ATTORNEY FEES, AND HEARING COSTS.

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

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

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

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

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

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

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

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

(V) Practices or offers or attempts to practice any of the following professions or occupations without an active license, certification, or registration issued under the part or article of this title 12 governing the

particular profession or occupation:

(Y) MEDICAL NUTRITION THERAPY, AS REGULATED UNDER ARTICLE 223 OF THIS TITLE 12.

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

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

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

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

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

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

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

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

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

**SECTION 7. Appropriation.** (1) For the 2025-26 state fiscal year, \$100,584 is appropriated to the department of regulatory agencies. This appropriation is from the division of professions and occupations cash fund created in section 12-20-105 (3), C.R.S. To implement this act, the department may use this appropriation as follows:

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

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

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

(2) For the 2025-26 state fiscal year, \$40,122 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (1)(c) of this section and is based on an assumption that the department of law will require an additional 0.2 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of regulatory agencies.

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

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

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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James Rashad Coleman, Sr.  
PRESIDENT OF  
THE SENATE

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Vanessa Reilly  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Esther van Mourik  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO