

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 25-0441.01 Josh Schultz x5486

HOUSE BILL 25-1220

HOUSE SPONSORSHIP

McCormick and Hartsook,

SENATE SPONSORSHIP

Pelton B. and Mullica,

House Committees

Health & Human Services
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the state board of dietetics and nutrition (board) under the supervision and control of the division of professions and occupations in the department of regulatory agencies. On and after September 1, 2026, an individual is prohibited from engaging in or offering to provide medical nutrition therapy unless the individual is licensed by the board. The board is authorized to license dietitians and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

HOUSE
Amended 2nd Reading
April 30, 2025

nutritionists if they meet the requirements specified by the bill and the rules adopted by the board pursuant to the bill.

An individual who desires to practice as a dietitian must file with the board:

- An application for a license;
- Proof of completion of educational requirements and supervised practice experience; and
- Proof of compliance with examination requirements or proof of holding a valid current registration with the Commission on Dietetic Registration.

An individual who desires to practice as a nutritionist must file with the board:

- An application for a license;
- Proof of completion of educational requirements and supervised practice experience; and
- Proof of compliance with examination requirements.

On or after September 1, 2026, but before September 1, 2028, the board may waive the examination requirement and may grant a nutritionist license to an applicant who meets specified criteria.

The board may deny or refuse to renew a license, suspend or revoke a license, or impose probationary conditions on a license. The board may also issue warnings or reprimands where the licensee or applicant for licensure has engaged in specified grounds for discipline or unprofessional conduct.

The board may issue a provisional license to practice as a dietitian or a nutritionist upon the filing of an application with the appropriate fees, submission of evidence of successful completion of the educational and supervised practice requirements, and submission of evidence that the individual has applied to take the required licensing examination.

The bill exempts specified individuals from the licensing requirements established by the bill.

An individual who practices or offers or attempts to practice as a dietitian or nutritionist without being licensed pursuant to the bill and who is not exempted from licensure commits a class 2 misdemeanor.

The board shall adopt rules as necessary to implement the bill.

The bill is scheduled for repeal on September 1, 2035. Before the repeal, the functions of the board in regulating dietitians and nutritionists are scheduled for review in accordance with the sunset law.

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

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

1 **ARTICLE 223**

2 **Dietitians and Nutritionists**

3 **12-223-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 223 IS
4 THE "DIETETICS AND NUTRITION PRACTICE ACT".

5 **12-223-102. Legislative declaration.** (1) THE GENERAL
6 ASSEMBLY FINDS AND DECLARES THAT:

7 (a) THE PRACTICE OF MEDICAL NUTRITION THERAPY IS ESSENTIAL
8 TO PROTECTING AND PROMOTING THE HEALTH, SAFETY, AND WELFARE OF
9 THE PEOPLE OF COLORADO. THE ABSENCE OF LICENSURE AND REGULATION
10 FOR INDIVIDUALS ENGAGED IN THIS PRACTICE HAS RESULTED IN
11 SIGNIFICANT RISKS, INCLUDING THE PROVISION OF CARE BY UNQUALIFIED
12 PRACTITIONERS, INEQUITABLE ACCESS TO CRUCIAL NUTRITION SERVICES
13 IN UNDERSERVED COMMUNITIES, AND INEFFICIENT UTILIZATION OF
14 REGISTERED DIETITIANS IN HEALTH-CARE SETTINGS.

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

25 (c) THIS LICENSURE PROGRAM IS NARROWLY TAILORED TO
26 REGULATE ONLY THE PRACTICE OF MEDICAL NUTRITION THERAPY WHILE
27 EXPLICITLY PRESERVING THE ABILITY OF OTHER PROFESSIONALS AND

1 INDIVIDUALS TO PROVIDE GENERAL NUTRITION GUIDANCE AND WELLNESS
2 SERVICES. THROUGH THIS ACTION, THE GENERAL ASSEMBLY REAFFIRMS
3 ITS COMMITMENT TO ENSURING EQUITABLE AND AFFORDABLE HEALTH
4 CARE AS WELL AS THE SAFETY AND WELL-BEING OF ALL COLORADANS.

5 **12-223-103. Applicability of common provisions.** ARTICLES 1,
6 20, AND 30 OF THIS TITLE 12 APPLY, ACCORDING TO THEIR TERMS, TO THIS
7 ARTICLE 223.

8 **12-223-104. Definitions.** AS USED IN THIS ARTICLE 223, UNLESS
9 THE CONTEXT OTHERWISE REQUIRES:

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

12 (2) "DEGREE" MEANS A DEGREE RECEIVED FROM A COLLEGE OR
13 UNIVERSITY ACCREDITED BY THE APPROPRIATE UNITED STATES
14 REGIONALLY ACCREDITED BODY RECOGNIZED BY THE COUNCIL FOR
15 HIGHER EDUCATION ACCREDITATION AND THE UNITED STATES
16 DEPARTMENT OF EDUCATION AT THE TIME THE DEGREE WAS RECEIVED OR
17 A VALIDATED INTERNATIONAL EQUIVALENT.

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

24 (4) "LICENSED DIETITIAN" MEANS AN INDIVIDUAL LICENSED UNDER
25 THIS ARTICLE 223 AS MEETING THE REQUIREMENTS OF SECTION
26 12-223-107 (1) TO PRACTICE DIETETICS AND NUTRITION, INCLUDING THE
27 PROVISION OF MEDICAL NUTRITION THERAPY.

1 (5) "LICENSED NUTRITIONIST" MEANS AN INDIVIDUAL LICENSED
2 UNDER THIS ARTICLE 223 AS MEETING THE REQUIREMENTS OF SECTION
3 12-223-108 (1) OR (4) TO PRACTICE NUTRITION, INCLUDING THE PROVISION
4 OF MEDICAL NUTRITION THERAPY.

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

9 (a) NUTRITION ASSESSMENT;

10 (b) NUTRITION DIAGNOSIS;

11 (c) NUTRITION INTERVENTION; OR

12 (d) NUTRITION MONITORING AND EVALUATION.

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

16 (8) (a) "NONMEDICAL WEIGHT CONTROL" MEANS NUTRITION CARE
17 SERVICES FOR THE PURPOSE OF REDUCING, MAINTAINING, OR GAINING
18 WEIGHT THAT DO NOT CONSTITUTE THE TREATMENT OR MANAGEMENT OF
19 A DISEASE OR MEDICAL CONDITION.

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

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

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

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

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

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

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

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

25 (c) CREATING INDIVIDUALIZED DIETARY PLANS AND ISSUING AND
26 IMPLEMENTING ORDERS TO MEET THE NUTRITIONAL NEEDS OF HEALTHY
27 INDIVIDUALS AND INDIVIDUALS WITH DISEASE STATES OR MEDICAL

1 CONDITIONS, INCLUDING ORDERING THERAPEUTIC DIETS AND MONITORING
2 THE DIETS' EFFECTIVENESS;

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

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

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

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

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

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

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

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

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

13 (17) "PRACTICE OF DIETETICS":

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

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

1 (18) "PRACTICE OF NUTRITION":
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 DISEASES OR MEDICAL
5 CONDITIONS AND PROMOTE WELLNESS IN OUTPATIENT SETTINGS; AND
6 (b) ENCOMPASSES, CONSISTENT WITH A LEVEL OF COMPETENCE:
7 (I) ORDERING ORAL THERAPEUTIC DIETS;
8 (II) ORDERING MEDICAL LABORATORY TESTS RELATED TO
9 NUTRITIONAL THERAPEUTIC TREATMENTS; AND
10 (III) RECOMMENDING VITAMINS, MINERALS, AND OTHER DIETARY
11 SUPPLEMENTS.
12 (19) "QUALIFIED SUPERVISOR" MEANS AN INDIVIDUAL PROVIDING
13 SUPERVISION WHO ASSUMES FULL PROFESSIONAL RESPONSIBILITY FOR THE
14 WORK OF THE SUPERVISED INDIVIDUAL BY VERIFYING, DIRECTING, AND
15 APPROVING THE PROVIDED NUTRITION CARE SERVICES, MEDICAL
16 NUTRITION THERAPY, AND OTHER WORK BEING SUPERVISED AND MEETS
17 THE REQUIREMENTS OF SECTION 12-223-112.
18 (20) "REGISTERED DIETITIAN" MEANS AN INDIVIDUAL WHO IS
19 CREDENTIALLED BY THE COMMISSION ON DIETETIC REGISTRATION, OR ITS
20 SUCCESSOR ORGANIZATION, AS A REGISTERED DIETITIAN OR A REGISTERED
21 DIETITIAN NUTRITIONIST AND IS AUTHORIZED TO USE SUCH TITLE AND THE
22 CORRESPONDING ABBREVIATIONS "RD" OR "RDN".
23 (21) "TELEHEALTH" HAS THE MEANING SET FORTH IN SECTION
24 10-16-123 (4)(e).
25 (22) "UNRESTRICTED PRACTICE OF MEDICAL NUTRITION THERAPY"
26 MEANS THE PROVISION OF MEDICAL NUTRITION THERAPY BY AN
27 INDIVIDUAL WHO IS RESPONSIBLE FOR THE INDIVIDUAL'S OWN PRACTICE OR

1 TREATMENT PROCEDURES.

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

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

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

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

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

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

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

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

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

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

27 (j) CONDUCT ADMINISTRATIVE HEARINGS IN ACCORDANCE WITH

1 SECTION 12-20-403 IN ALL MATTERS RELATING TO THE EXERCISE AND
2 PERFORMANCE OF THE POWERS AND DUTIES VESTED IN THE DIRECTOR;

3 (k) SEEK AN INJUNCTION IN ACCORDANCE WITH SECTION
4 12-20-406 TO ENJOIN AN ACT OR PRACTICE THAT CONSTITUTES A
5 VIOLATION OF THIS ARTICLE 223;

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

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

11 **12-223-106. Dietetics and nutrition advisory committee -**
12 **members - repeal.** (1) THE DIETETICS AND NUTRITION ADVISORY
13 COMMITTEE IS CREATED IN THE DIVISION AS THE ENTITY RESPONSIBLE FOR
14 ADVISING THE DIRECTOR IN THE REGULATION OF MEDICAL NUTRITION
15 THERAPY AND THE IMPLEMENTATION OF THIS ARTICLE 223.

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

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

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

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

25 (IV) ONE MEMBER MUST NOT BE LICENSED UNDER THIS ARTICLE
26 223 OR ARTICLE 240 OF THIS TITLE 12 AND SHALL REPRESENT THE PUBLIC
27 AT LARGE.

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

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

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

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

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

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

5 (I) A DIETITIAN OR A NUTRITIONIST;

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

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

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

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

16 (VI) AN UNREGULATED PROVIDER OF NUTRITION CARE SERVICES.

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

20 (II) THE INITIAL TERM OF APPOINTMENT OF TWO LICENSED
21 DIETITIANS APPOINTED PURSUANT TO SUBSECTION (2)(a)(I) OF THIS
22 SECTION, ONE LICENSED NUTRITIONIST APPOINTED PURSUANT TO
23 SUBSECTION (2)(a)(II) OF THIS SECTION, AND THE MEMBER REPRESENTING
24 THE PUBLIC AT LARGE APPOINTED PURSUANT TO SUBSECTION (2)(a)(IV) OF
25 THIS SECTION IS TWO YEARS, WITH THE INITIAL TERM OF APPOINTMENT FOR
26 THE REMAINING MEMBERS OF THE ADVISORY COMMITTEE BEING THREE
27 YEARS.

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

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

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

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

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

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

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

24 **12-223-107. Licensure of dietitians - qualifications -**
25 **application.** (1) AN APPLICANT FOR A LICENSE AS A DIETITIAN SHALL
26 SUBMIT A COMPLETED APPLICATION AS REQUIRED BY THE DIRECTOR
27 DEMONSTRATING THE APPLICANT IS CAPABLE AND PROFESSIONALLY

1 COMPETENT TO SAFELY ENGAGE IN THE PRACTICES OF DIETETICS AND
2 NUTRITION, SUBMIT THE FEES AS REQUIRED BY THE DIRECTOR, AND SUBMIT
3 PROOF OF ONE OF THE FOLLOWING:

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

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

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

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

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

1 GRANTS AN EXTENSION FOR A LIMITED TIME.

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

10 (b) PROOF OF A VALID REGISTRATION WITH THE COMMISSION ON
11 DIETETIC REGISTRATION, OR ITS SUCCESSOR ORGANIZATION, THAT GIVES
12 THE APPLICANT THE RIGHT TO USE THE TERM "REGISTERED DIETITIAN",
13 "REGISTERED DIETITIAN NUTRITIONIST", "RD", OR "RDN".

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

18 **12-223-108. Licensure of nutritionists - qualifications -**
19 **application - transitional license - rules - repeal.** (1) AN APPLICANT
20 FOR A LICENSE AS A NUTRITIONIST SHALL SUBMIT A COMPLETED
21 APPLICATION AS REQUIRED BY THE DIRECTOR DEMONSTRATING THE
22 APPLICANT IS CAPABLE AND PROFESSIONALLY COMPETENT TO SAFELY
23 ENGAGE IN THE PRACTICE OF NUTRITION, SUBMIT THE FEES AS REQUIRED
24 BY THE DIRECTOR, AND SUBMIT PROOF OF COMPLETION OF ALL THE
25 FOLLOWING EDUCATIONAL REQUIREMENTS, SUPERVISED PRACTICE
26 EXPERIENCES, AND EXAMINATION REQUIREMENTS:

27 (a) PROOF OF COMPLETION OF A DOCTORAL DEGREE OR VALIDATED

1 INTERNATIONAL EQUIVALENT IN A FIELD OF CLINICAL HEALTH CARE FROM
2 A COLLEGE OR UNIVERSITY ACCREDITED AT THE TIME OF GRADUATION BY
3 A UNITED STATES INSTITUTIONAL ACCREDITING BODY FOR HIGHER
4 EDUCATION RECOGNIZED BY THE UNITED STATES DEPARTMENT OF
5 EDUCATION OR A MASTER'S OR DOCTORAL DEGREE OR VALIDATED
6 INTERNATIONAL EQUIVALENT FROM A COLLEGE OR UNIVERSITY
7 ACCREDITED AT THE TIME OF GRADUATION BY A UNITED STATES
8 INSTITUTIONAL ACCREDITING BODY FOR HIGHER EDUCATION RECOGNIZED
9 BY THE UNITED STATES DEPARTMENT OF EDUCATION WITH A MAJOR IN:

- 10 (I) HUMAN NUTRITION;
- 11 (II) FOODS AND NUTRITION;
- 12 (III) COMMUNITY NUTRITION;
- 13 (IV) PUBLIC HEALTH NUTRITION;
- 14 (V) NUTRITION EDUCATION;
- 15 (VI) NUTRITION;
- 16 (VII) NUTRITION SCIENCE;
- 17 (VIII) CLINICAL NUTRITION;
- 18 (IX) APPLIED CLINICAL NUTRITION;
- 19 (X) NUTRITION COUNSELING;
- 20 (XI) NUTRITION AND FUNCTIONAL MEDICINE;
- 21 (XII) NUTRITIONAL BIOCHEMISTRY;
- 22 (XIII) NUTRITION AND INTEGRATIVE HEALTH; OR
- 23 (XIV) A COMPARABLY TITLED MAJOR;
- 24 (b) SATISFACTORY COMPLETION OF A PLANNED, DOCUMENTED,
25 AND CONTINUOUS SUPERVISED PRACTICE EXPERIENCE THAT
26 DEMONSTRATES COMPETENCE IN PROVIDING NUTRITION CARE SERVICES
27 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

1 EQUIVALENT EXAMINATION ON ALL ASPECTS OF THE PRACTICE OF
2 NUTRITION THAT HAS BEEN REVIEWED UNDER A PROGRAM THAT REQUIRES
3 A MASTER'S DEGREE OR HIGHER, IS ACCREDITED BY THE NATIONAL
4 COMMISSION FOR CERTIFYING AGENCIES OR ITS SUCCESSOR
5 ORGANIZATION, AND IS APPROVED BY THE DIRECTOR. IF PASSAGE OF THE
6 EXAMINATION OCCURRED MORE THAN FIVE YEARS BEFORE THE
7 APPLICATION FOR LICENSURE, THE APPLICANT SHALL DEMONSTRATE
8 COMPLETION OF SEVENTY-FIVE HOURS OF CONTINUING EDUCATION
9 MEETING THE CONTINUING EDUCATION CRITERIA, AS ADOPTED BY RULE,
10 PER EACH FIVE-YEAR PERIOD POST-EXAMINATION.

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

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

20 (a) FIFTEEN SEMESTER HOURS OF CLINICAL OR LIFE SCIENCES, SUCH
21 AS COURSES IN CHEMISTRY, ORGANIC CHEMISTRY, BIOLOGY, MOLECULAR
22 BIOLOGY, BIOTECHNOLOGY, BOTANY, GENETICS, GENOMICS,
23 NEUROSCIENCE, EXPERIMENTAL SCIENCE, IMMUNOTHERAPY, PATHOLOGY,
24 PHARMACOLOGY, TOXICOLOGY, RESEARCH METHODS, APPLIED STATISTICS,
25 BIostatistics, EPIDEMIOLOGY, ENERGY PRODUCTION, MOLECULAR
26 PATHWAYS, HORMONE AND TRANSMITTER REGULATIONS AND IMBALANCE,
27 AND PATHOPHYSIOLOGIC BASIS OF DISEASE. THREE SEMESTER HOURS

1 MUST BE IN HUMAN ANATOMY AND PHYSIOLOGY OR THE EQUIVALENT.

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

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

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

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

- 23 (A) HUMAN NUTRITION;
- 24 (B) FOODS AND NUTRITION;
- 25 (C) FOOD SYSTEMS MANAGEMENT;
- 26 (D) NUTRITIONAL SCIENCE;
- 27 (E) NUTRITIONAL EDUCATION;

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

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

24 2028.

25 **12-223-109. Disciplinary action - grounds for discipline.**

26 (1) PURSUANT TO PART 4 OF ARTICLE 20 OF THIS TITLE 12, THE DIRECTOR

27 MAY DENY OR REFUSE TO RENEW A LICENSE, SUSPEND OR REVOKE A

1 LICENSE, IMPOSE PROBATIONARY CONDITIONS ON A LICENSE, ISSUE A
2 CEASE-AND-DESIST LETTER, OR SEEK INJUNCTIVE RELIEF AGAINST A
3 LICENSEE OR AN APPLICANT FOR LICENSURE WHO HAS ENGAGED IN ONE OR
4 MORE OF THE FOLLOWING GROUNDS FOR DISCIPLINE OR UNPROFESSIONAL
5 CONDUCT:

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

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

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

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

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

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

24 **12-223-110. Provisional and limited permits.** (1) THE DIRECTOR
25 MAY ISSUE AN INDIVIDUAL A PROVISIONAL LICENSE TO PRACTICE AS A
26 DIETITIAN OR A NUTRITIONIST UPON THE FILING OF AN APPLICATION WITH
27 PAYMENT OF AN APPROPRIATE FEE, THE SUBMISSION OF EVIDENCE OF

1 SUCCESSFUL COMPLETION OF THE EDUCATIONAL AND SUPERVISED
2 PRACTICE REQUIREMENTS, AND THE SUBMISSION OF EVIDENCE THAT THE
3 INDIVIDUAL HAS APPLIED TO TAKE AN EXAMINATION DESCRIBED IN
4 SECTION 12-223-107 (1)(a)(III) OR 12-223-108 (1)(c)(I).

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

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

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

12 (5) THE DIRECTOR SHALL DETERMINE THE FEE FOR ISSUANCE OF A
13 PROVISIONAL LICENSE IN THE MANNER AUTHORIZED BY SECTION
14 12-20-105.

15 **12-223-111. License required - title protection.** (1) EXCEPT AS
16 OTHERWISE PROVIDED IN SECTION 12-223-113, ON AND AFTER SEPTEMBER
17 1, 2026, AN INDIVIDUAL SHALL NOT ENGAGE IN OR OFFER TO PROVIDE
18 MEDICAL NUTRITION THERAPY UNLESS THE INDIVIDUAL IS LICENSED
19 UNDER THIS ARTICLE 223.

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

27 (b) AN INDIVIDUAL SHALL NOT APPEND TO, OR USE IN

1 CONJUNCTION WITH, THE INDIVIDUAL'S NAME THE LETTERS "LD" OR
2 "LDN" UNLESS THE INDIVIDUAL IS LICENSED AS A DIETITIAN UNDER THIS
3 ARTICLE 223.

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

9 (b) AN INDIVIDUAL SHALL NOT DESIGNATE THEMSELF OR HOLD
10 THEMSELF OUT AS A NUTRITIONIST OR USE OR ASSUME THE TITLE
11 "NUTRITIONIST" UNLESS THE INDIVIDUAL IS LICENSED UNDER THIS ARTICLE
12 223.

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

18 **12-223-112. Qualified supervisors - duties.** (1) (a) TO QUALIFY
19 AS A QUALIFIED SUPERVISOR FOR PURPOSES OF THIS ARTICLE 223, AN
20 INDIVIDUAL MUST MEET THE FOLLOWING REQUIREMENTS:

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

25 (A) A LICENSED DIETITIAN, A LICENSED NUTRITIONIST, OR A
26 HEALTH-CARE PROVIDER LICENSED OR CERTIFIED IN A STATE OR
27 TERRITORY IN THE UNITED STATES, INCLUDING LICENSED OR CERTIFIED

1 DIETITIANS, DIETITIAN NUTRITIONISTS, OR NUTRITIONISTS, WHOSE SCOPE
2 OF PRACTICE INCLUDES THE PROVISION OF MEDICAL NUTRITION THERAPY;
3 OR

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

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

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

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

23 (c) A QUALIFIED SUPERVISOR SHALL DEVELOP AND CARRY OUT A
24 PROGRAM FOR ADVANCING AND OPTIMIZING THE QUALITY OF CARE
25 PROVIDED BY A STUDENT OR TRAINEE BEING SUPERVISED. THE QUALIFIED
26 SUPERVISOR AND THE STUDENT OR TRAINEE BEING SUPERVISED SHALL
27 IDENTIFY AND DOCUMENT GOALS FOR SUPERVISED PRACTICE EXPERIENCE,

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

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

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

25 (f) A QUALIFIED SUPERVISOR SHALL REVIEW ON A REGULAR BASIS
26 THE CHARTS, RECORDS, AND CLINICAL NOTES OF THE SUPERVISED
27 INDIVIDUALS AND MAINTAIN RESPONSIBILITY FOR THE SUPERVISED

1 INDIVIDUALS' CLINICAL RECORD KEEPING.

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

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

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

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

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

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

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

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

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

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

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

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

1 DUTIES;

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

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

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

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

11 (II) A PLAN OF CARE THAT IS OVERSEEN BY A HEALTH-CARE
12 PROFESSIONAL LICENSED IN THIS STATE WHOSE SCOPE OF PRACTICE
13 OTHERWISE AUTHORIZES THE HEALTH-CARE PROFESSIONAL TO PROVIDE
14 AND DELEGATE MEDICAL NUTRITION THERAPY, IF THE MEDICAL WEIGHT
15 CONTROL SERVICES ARE NOT DISCRETIONARY AND DO NOT REQUIRE THE
16 EXERCISE OF PROFESSIONAL JUDGMENT;

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

25 (I) A LICENSED DIETITIAN;

26 (II) A LICENSED NUTRITIONIST; OR

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

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

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

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

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

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

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

27 (I) IS LICENSED IN THIS STATE AS A LICENSED DIETITIAN OR

1 LICENSED NUTRITIONIST OR HAS OBTAINED A DIETITIAN LICENSURE
2 COMPACT PRIVILEGE; OR

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

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

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

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

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

24 (k) THE DISSEMINATION OF SCIENTIFIC EXPLANATIONS OF THE
25 FUNCTION AND STRUCTURE OF MOLECULES, IONS, CELLS, AND ORGANISMS
26 RELATED TO AND INCLUDING THE STRUCTURE AND FUNCTION OF THE
27 HUMAN BODY. THIS SUBSECTION (1)(j) PROTECTS THE RIGHT TO APPLY THE

1 PRINCIPLES OF PHYSIOLOGICAL STRUCTURE AND FUNCTION TO INDIVIDUAL,
2 GROUP, AND COMMUNITY CIRCUMSTANCES TO EMPOWER HEALTHY
3 PRACTICES AND SUPPORT IMPROVED HEALTH OUTCOMES IF THE
4 EXPLANATIONS ARE NOT PROVIDED WITH THE SPECIFIC INTENT OF
5 PROVIDING MEDICAL NUTRITION THERAPY.

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

16 **12-223-114. License expiration - license renewal - continuing**
17 **education - rules.** (1) THE DIRECTOR MAY RENEW LICENSES UPON
18 SATISFACTORY COMPLETION OF THE RENEWAL APPLICATION, PAYMENT OF
19 THE RENEWAL FEE, AND THE SUCCESSFUL COMPLETION OF CONTINUING
20 EDUCATION REQUIREMENTS, INCLUDING AT LEAST SEVENTY-FIVE HOURS
21 OF CONTINUING EDUCATION EVERY FIVE YEARS, AS ADOPTED BY RULE.

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

24 **12-223-115. Penalties.** (1) AN INDIVIDUAL WHO PRACTICES OR
25 OFFERS OR ATTEMPTS TO PRACTICE IN VIOLATION OF SECTION 12-223-111
26 COMMITS A CLASS 2 MISDEMEANOR PURSUANT TO SECTION 12-20-407
27 (1)(a)(V)(Y).

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

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

11 **12-223-116. Repeal of article - review of functions.** THIS
12 ARTICLE 223 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2035. BEFORE THE
13 REPEAL, THIS ARTICLE 223 IS SCHEDULED FOR REVIEW IN ACCORDANCE
14 WITH SECTION 24-34-104.

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

17 **12-20-202. Licenses, certifications, and registrations - renewal**
18 **- reinstatement - fees - occupational credential portability program**
19 **- exceptions for military personnel, spouses, gold star military**
20 **spouses, and dependents - rules - consideration of criminal**
21 **convictions or driver's history - executive director authority -**
22 **definitions. (3) Occupational credential portability program -**
23 **definitions. (e) Subsections (3)(a) to (3)(d) of this section do not apply**
24 **to the following professions or occupations:**

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

27 (XI) Surgical assistants and surgical technologists, regulated

1 pursuant to article 310 of this title 12; OR
2 (XII) DIETITIANS AND NUTRITIONISTS, REGULATED PURSUANT TO
3 ARTICLE 223 OF THIS TITLE 12.

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

6 12-20-407. Unauthorized practice of profession or occupation
7 - penalties - exclusions. (1) (a) A person commits a class 2 misdemeanor
8 and shall be punished as provided in section 18-1.3-501 if the person:

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

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

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

17 6-1-724. Unlicensed alternative health-care practitioners -
18 deceptive trade practices - short title - legislative declaration -
19 definitions. (6) A complementary and alternative health-care practitioner
20 providing complementary and alternative health-care services under this
21 section who is not licensed, certified, or registered by the state shall not:

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

25 (t) Hold oneself THEMSELF out as OR state, indicate, advertise, or
26 imply to a client or prospective client that he or she THE HEALTH-CARE
27 PRACTITIONER is a physician, surgeon, or both, or that he or she is THEY

1 ARE a health-care professional who is licensed, certified, or registered by
2 the state; OR

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

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

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

10 **24-34-104. General assembly review of regulatory agencies**
11 **and functions for repeal, continuation, or reestablishment - legislative**
12 **declaration - repeal.** (36) (a) The following agencies, functions, or both
13 are scheduled for repeal on September 1, 2035:

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

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

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

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

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

27 (2) For the 2025-26 state fiscal year, \$40,122 is appropriated to

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

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

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