

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB25-1220 be amended as follows:

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

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

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

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

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

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

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

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

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

33 (c) THIS LICENSURE PROGRAM IS NARROWLY TAILORED TO
34 REGULATE ONLY THE PRACTICE OF MEDICAL NUTRITION THERAPY WHILE
35 EXPLICITLY PRESERVING THE ABILITY OF OTHER PROFESSIONALS AND
36 INDIVIDUALS TO PROVIDE GENERAL NUTRITION GUIDANCE AND WELLNESS
37 SERVICES. THROUGH THIS ACTION, THE GENERAL ASSEMBLY REAFFIRMS

1 ITS COMMITMENT TO ENSURING EQUITABLE AND AFFORDABLE HEALTH
2 CARE AS WELL AS THE SAFETY AND WELL-BEING OF ALL COLORADANS.

3 **12-223-103. Applicability of common provisions.** ARTICLES 1,
4 20, AND 30 OF THIS TITLE 12 APPLY, ACCORDING TO THEIR TERMS, TO THIS
5 ARTICLE 223.

6 **12-223-104. Definitions.** AS USED IN THIS ARTICLE 223, UNLESS
7 THE CONTEXT OTHERWISE REQUIRES:

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

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

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

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

26 (5) "LICENSED NUTRITIONIST" MEANS AN INDIVIDUAL LICENSED
27 UNDER THIS ARTICLE 223 AS MEETING THE REQUIREMENTS OF SECTION
28 12-223-108 (1) OR (4) TO PRACTICE NUTRITION, INCLUDING THE PROVISION
29 OF MEDICAL NUTRITION THERAPY.

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

33 (a) NUTRITION ASSESSMENT;
34 (b) NUTRITION DIAGNOSIS;
35 (c) NUTRITION INTERVENTION; OR
36 (d) NUTRITION MONITORING AND EVALUATION.

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

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

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

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

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

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

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

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

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

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

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

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

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

43 (f) EVALUATING, MAKING CHANGES IN, AND MAINTAINING

1 APPROPRIATE STANDARDS OF QUALITY IN FOOD AND NUTRITION SERVICES.

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

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

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

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

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

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

32 (17) "PRACTICE OF DIETETICS":
33 (a) INCLUDES THE PROVISION OF NUTRITION CARE SERVICES,
34 INCLUDING MEDICAL NUTRITION THERAPY, IN PERSON OR VIA TELEHEALTH,
35 TO PREVENT, MANAGE, OR TREAT CHRONIC AND ACUTE DISEASES OR
36 MEDICAL CONDITIONS AND PROMOTE WELLNESS IN INPATIENT AND
37 OUTPATIENT SETTINGS; AND
38 (b) ENCOMPASSES THE DEVELOPMENT AND ORDERING OF
39 THERAPEUTIC DIETS VIA ORAL, ENTERAL, AND PARENTERAL ROUTES AND
40 PROVIDING OTHER ADVANCED MEDICAL NUTRITION THERAPY AND
41 RELATED SUPPORT ACTIVITIES CONSISTENT WITH CURRENT COMPETENCIES
42 REQUIRED OF ACADEMIC AND SUPERVISED PRACTICE PROGRAMS
43 ACCREDITED BY THE ACCREDITATION COUNCIL FOR EDUCATION IN

1 NUTRITION AND DIETETICS AND IN ACCORDANCE WITH THE "SCOPE AND
2 STANDARDS OF PRACTICE FOR THE REGISTERED DIETITIAN NUTRITIONIST"
3 ESTABLISHED BY THE ACADEMY OF NUTRITION AND DIETETICS.

4 (18) "PRACTICE OF NUTRITION":
5 (a) INCLUDES THE PROVISION OF NUTRITION CARE SERVICES,
6 INCLUDING MEDICAL NUTRITION THERAPY, IN PERSON OR VIA TELEHEALTH,
7 TO PREVENT, MANAGE, OR TREAT CHRONIC DISEASES OR MEDICAL
8 CONDITIONS AND PROMOTE WELLNESS IN OUTPATIENT SETTINGS; AND
9 (b) ENCOMPASSES, CONSISTENT WITH A LEVEL OF COMPETENCE:
10 (I) ORDERING ORAL THERAPEUTIC DIETS;
11 (II) ORDERING MEDICAL LABORATORY TESTS RELATED TO
12 NUTRITIONAL THERAPEUTIC TREATMENTS; AND
13 (III) RECOMMENDING VITAMINS, MINERALS, AND OTHER DIETARY
14 SUPPLEMENTS.

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

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

26 (21) "TELEHEALTH" HAS THE MEANING SET FORTH IN SECTION
27 10-16-123 (4)(e).

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

32 **12-223-105. Powers and duties of the director - rules.** (1) IN
33 ADDITION TO THE OTHER POWERS AND DUTIES OF THE DIRECTOR AS SET
34 FORTH IN THIS ARTICLE 223 AND ARTICLES 20 AND 30 OF THIS TITLE 12,
35 THE DIRECTOR SHALL:

36 (a) LICENSE DIETITIANS AND NUTRITIONISTS IN A MANNER
37 CONSISTENT WITH THIS ARTICLE 223;
38 (b) CREATE AND MAINTAIN A REGISTER OF ALL APPLICANTS FOR
39 LICENSURE, AND A REGISTER OF ALL LICENSED DIETITIANS AND LICENSED
40 NUTRITIONISTS;
41 (c) ADOPT RULES PURSUANT TO SECTION 12-20-204 TO PROVIDE
42 FOR THE ENFORCEMENT OF THIS ARTICLE 223;
43 (d) ADOPT THE LICENSURE STANDARDS PRESCRIBED IN THIS

1 ARTICLE 223 AND RULES RELEVANT TO LICENSURE, INCLUDING ADOPTING
2 UPDATED STANDARDS OF ACCREDITING ORGANIZATIONS;
3 (e) ADOPT BY RULE A CODE OF ETHICS AND STANDARDS OF
4 PRACTICE AND PROFESSIONAL RESPONSIBILITIES;
5 (f) ESTABLISH AND COLLECT THE FEES FOR LICENSURE AND
6 RENEWAL AND REINSTATEMENT OF LICENSURE IN THE MANNER
7 AUTHORIZED BY SECTION 12-20-105;
8 (g) ESTABLISH AND COLLECT FEES AND MAKE EXPENDITURES AS
9 REQUIRED BY THIS ARTICLE 223;
10 (h) ADMINISTER CONTINUING EDUCATION REQUIREMENTS FOR THE
11 RENEWAL OF A LICENSE, AS SET FORTH IN SECTION 12-223-114;
12 (i) RECEIVE AND PROCESS COMPLAINTS AND INVESTIGATE
13 ALLEGED VIOLATIONS OF THIS ARTICLE 223;
14 (j) CONDUCT ADMINISTRATIVE HEARINGS IN ACCORDANCE WITH
15 SECTION 12-20-403 IN ALL MATTERS RELATING TO THE EXERCISE AND
16 PERFORMANCE OF THE POWERS AND DUTIES VESTED IN THE DIRECTOR;
17 (k) SEEK AN INJUNCTION IN ACCORDANCE WITH SECTION
18 12-20-406 TO ENJOIN AN ACT OR PRACTICE THAT CONSTITUTES A
19 VIOLATION OF THIS ARTICLE 223;
20 (l) PROVIDE FOR EXAMINATION OR WAIVER OF EXAMINATION FOR
21 APPLICANTS PURSUANT TO SECTION 12-223-107 (1)(a)(III) OR 12-223-108
22 (1)(c)(I) OR (4); AND
23 (m) IMPOSE PENALTIES IN ACCORDANCE WITH THIS ARTICLE 223
24 AND WITH SECTIONS 12-20-404 AND 12-20-407.
25 **12-223-106. Dietetics and nutrition advisory committee -**
26 **members - repeal.** (1) THE DIETETICS AND NUTRITION ADVISORY
27 COMMITTEE IS CREATED IN THE DIVISION AS THE ENTITY RESPONSIBLE FOR
28 ADVISING THE DIRECTOR IN THE REGULATION OF MEDICAL NUTRITION
29 THERAPY AND THE IMPLEMENTATION OF THIS ARTICLE 223.
30 (2) (a) THE ADVISORY COMMITTEE CONSISTS OF SEVEN MEMBERS
31 WHO ARE RESIDENTS OF THIS STATE AND ARE APPOINTED BY THE DIRECTOR
32 AS FOLLOWS:
33 (I) EXCEPT AS PROVIDED IN SUBSECTION (2)(b)(I) OF THIS SECTION,
34 THREE MEMBERS MUST BE LICENSED DIETITIANS;
35 (II) EXCEPT AS PROVIDED IN SUBSECTION (2)(b)(I) OF THIS
36 SECTION, TWO MEMBERS MUST BE LICENSED NUTRITIONISTS;
37 (III) ONE MEMBER MUST BE A PHYSICIAN LICENSED TO PRACTICE
38 MEDICINE PURSUANT TO ARTICLE 240 OF THIS TITLE 12; AND
39 (IV) ONE MEMBER MUST NOT BE LICENSED UNDER THIS ARTICLE
40 223 OR ARTICLE 240 OF THIS TITLE 12 AND SHALL REPRESENT THE PUBLIC
41 AT LARGE.
42 (b) (I) LICENSED DIETITIANS AND LICENSED NUTRITIONISTS WHO
43 ARE MEMBERS OF THE ADVISORY COMMITTEE MUST HAVE BEEN ACTIVELY

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

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

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

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

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

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

30 (I) A DIETITIAN OR A NUTRITIONIST;

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

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

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

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

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

42 (d) (I) THE DIRECTOR SHALL MAKE THE INITIAL APPOINTMENTS TO
43 THE ADVISORY COMMITTEE ON OR BEFORE SIX MONTHS AFTER THE

1 EFFECTIVE DATE OF THIS ARTICLE 223.

2 (II) THE INITIAL TERM OF APPOINTMENT OF TWO LICENSED
3 DIETITIANS APPOINTED PURSUANT TO SUBSECTION (2)(a)(I) OF THIS
4 SECTION, ONE LICENSED NUTRITIONIST APPOINTED PURSUANT TO
5 SUBSECTION (2)(a)(II) OF THIS SECTION, AND THE MEMBER REPRESENTING
6 THE PUBLIC AT LARGE APPOINTED PURSUANT TO SUBSECTION (2)(a)(IV) OF
7 THIS SECTION IS TWO YEARS, WITH THE INITIAL TERM OF APPOINTMENT FOR
8 THE REMAINING MEMBERS OF THE ADVISORY COMMITTEE BEING THREE
9 YEARS.

10 (III) THIS SUBSECTION (2)(d) IS REPEALED, EFFECTIVE DECEMBER
11 1, 2030.

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

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

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

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

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

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

33 **12-223-107. Licensure of dietitians - qualifications -**
34 **application.** (1) AN APPLICANT FOR A LICENSE AS A DIETITIAN SHALL
35 SUBMIT A COMPLETED APPLICATION AS REQUIRED BY THE DIRECTOR
36 DEMONSTRATING THE APPLICANT IS CAPABLE AND PROFESSIONALLY
37 COMPETENT TO SAFELY ENGAGE IN THE PRACTICES OF DIETETICS AND
38 NUTRITION, SUBMIT THE FEES AS REQUIRED BY THE DIRECTOR, AND SUBMIT
39 PROOF OF ONE OF THE FOLLOWING:

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

43 (I) PROOF OF ONE OF THE FOLLOWING EDUCATIONAL

1 REQUIREMENTS:

2 (A) A MASTER'S DEGREE OR DOCTORAL DEGREE WITH A PROGRAM

3 OF STUDY THAT IS ACCREDITED BY THE ACCREDITATION COUNCIL FOR

4 EDUCATION IN NUTRITION AND DIETETICS, OR ITS SUCCESSOR

5 ORGANIZATION; OR

6 (B) AN INTERNATIONAL ACADEMIC DEGREE THAT THE DIRECTOR

7 DETERMINES IS EQUIVALENT TO A DEGREE DESCRIBED IN SUBSECTION

8 (1)(a)(I)(A) OF THIS SECTION WITH A PROGRAM OF STUDY THAT IS

9 ACCREDITED BY THE ACCREDITATION COUNCIL FOR EDUCATION IN

10 NUTRITION AND DIETETICS, OR ITS SUCCESSOR ORGANIZATION;

11 (II) SATISFACTORY COMPLETION OF A PLANNED, DOCUMENTED,

12 AND SUPERVISED EXPERIENCE IN DIETETICS AND NUTRITION PRACTICE

13 APPROVED BY THE DIRECTOR AND ACCREDITED BY THE ACCREDITATION

14 COUNCIL FOR EDUCATION IN NUTRITION AND DIETETICS, OR ITS

15 SUCCESSOR ORGANIZATION, THAT INVOLVES AT LEAST ONE THOUSAND

16 HOURS OF SUPERVISED PRACTICE EXPERIENCE UNDER THE SUPERVISION OF

17 A QUALIFIED SUPERVISOR. AN APPLICANT SHALL COMPLETE A SUPERVISED

18 PRACTICE EXPERIENCE WITHIN FIVE YEARS AFTER COMPLETING THE

19 EDUCATIONAL REQUIREMENTS DESCRIBED IN SUBSECTION (1)(a)(I) OF THIS

20 SECTION UNLESS THE DIRECTOR, FOR EXTRAORDINARY CIRCUMSTANCES,

21 GRANTS AN EXTENSION FOR A LIMITED TIME.

22 (III) SUCCESSFUL COMPLETION OF THE REGISTRATION

23 EXAMINATION FOR DIETITIANS ADMINISTERED BY THE COMMISSION ON

24 DIETETIC REGISTRATION, OR ITS SUCCESSOR ORGANIZATION. IF PASSAGE

25 OF THE EXAMINATION OCCURRED MORE THAN FIVE YEARS BEFORE THE

26 APPLICATION FOR LICENSURE, THE APPLICANT SHALL DEMONSTRATE

27 COMPLETION OF SEVENTY-FIVE HOURS OF CONTINUING EDUCATION

28 MEETING THE CONTINUING EDUCATION CRITERIA, AS ADOPTED BY RULE,

29 PER EACH FIVE-YEAR PERIOD POST-EXAMINATION.

30 (b) PROOF OF A VALID REGISTRATION WITH THE COMMISSION ON

31 DIETETIC REGISTRATION, OR ITS SUCCESSOR ORGANIZATION, THAT GIVES

32 THE APPLICANT THE RIGHT TO USE THE TERM "REGISTERED DIETITIAN",

33 "REGISTERED DIETITIAN NUTRITIONIST", "RD", OR "RDN".

34 (2) AFTER AN APPLICANT HAS FULFILLED THE REQUIREMENTS OF

35 SUBSECTION (1) OF THIS SECTION, THE DIRECTOR SHALL ISSUE A LICENSE

36 TO THE APPLICANT; EXCEPT THAT THE DIRECTOR MAY DENY A LICENSE

37 PURSUANT TO SECTIONS 12-20-404 (1)(d)(I) AND 12-223-109.

38 **12-223-108. Licensure of nutritionists - qualifications -**

39 **application - transitional license - rules - repeal.** (1) AN APPLICANT

40 FOR A LICENSE AS A NUTRITIONIST SHALL SUBMIT A COMPLETED

41 APPLICATION AS REQUIRED BY THE DIRECTOR DEMONSTRATING THE

42 APPLICANT IS CAPABLE AND PROFESSIONALLY COMPETENT TO SAFELY

43 ENGAGE IN THE PRACTICE OF NUTRITION, SUBMIT THE FEES AS REQUIRED

1 BY THE DIRECTOR, AND SUBMIT PROOF OF COMPLETION OF ALL THE
2 FOLLOWING EDUCATIONAL REQUIREMENTS, SUPERVISED PRACTICE
3 EXPERIENCES, AND EXAMINATION REQUIREMENTS:

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

14 (I) HUMAN NUTRITION;
15 (II) FOODS AND NUTRITION;
16 (III) COMMUNITY NUTRITION;
17 (IV) PUBLIC HEALTH NUTRITION;
18 (V) NUTRITION EDUCATION;
19 (VI) NUTRITION;
20 (VII) NUTRITION SCIENCE;
21 (VIII) CLINICAL NUTRITION;
22 (IX) APPLIED CLINICAL NUTRITION;
23 (X) NUTRITION COUNSELING;
24 (XI) NUTRITION AND FUNCTIONAL MEDICINE;
25 (XII) NUTRITIONAL BIOCHEMISTRY;
26 (XIII) NUTRITION AND INTEGRATIVE HEALTH; OR
27 (XIV) A COMPARABLY TITLED MAJOR;

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

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

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

41 (A) NUTRITION ASSESSMENT;
42 (B) NUTRITION INTERVENTION; AND
43 (C) NUTRITION MONITORING AND EVALUATION;

1 (III) THE DIRECTOR DETERMINES THAT THE SUPERVISED PRACTICE
2 EXPERIENCE HAS PREPARED THE APPLICANT TO PROVIDE NUTRITION CARE
3 SERVICES FOR VARIOUS POPULATIONS OF DIVERSE CULTURES, OF GENDERS,
4 AND ACROSS THE LIFE CYCLE AND TO BE ABLE TO COMPETENTLY
5 FORMULATE ACTIONABLE MEDICAL NUTRITION THERAPIES AND
6 INTERVENTIONS, EDUCATION, COUNSELING, AND ONGOING CARE FOR THE
7 PREVENTION, MODULATION, AND MANAGEMENT OF A RANGE OF CHRONIC
8 MEDICAL CONDITIONS; AND
9 (IV) SUPERVISION BY A QUALIFIED SUPERVISOR, AS DETERMINED
10 PURSUANT TO SECTION 12-223-112; AND
11 (c) COMPLETION OF EXAMINATION REQUIREMENTS BY
12 DEMONSTRATING EITHER OF THE FOLLOWING:
13 (I) PASSAGE OF THE CERTIFIED NUTRITION SPECIALIST
14 EXAMINATION ADMINISTERED BY THE BOARD FOR CERTIFICATION OF
15 NUTRITION SPECIALISTS, OR ITS SUCCESSOR ORGANIZATION, OR AN
16 EQUIVALENT EXAMINATION ON ALL ASPECTS OF THE PRACTICE OF
17 NUTRITION THAT HAS BEEN REVIEWED UNDER A PROGRAM THAT REQUIRES
18 A MASTER'S DEGREE OR HIGHER, IS ACCREDITED BY THE NATIONAL
19 COMMISSION FOR CERTIFYING AGENCIES OR ITS SUCCESSOR
20 ORGANIZATION, AND IS APPROVED BY THE DIRECTOR. IF PASSAGE OF THE
21 EXAMINATION OCCURRED MORE THAN FIVE YEARS BEFORE THE
22 APPLICATION FOR LICENSURE, THE APPLICANT SHALL DEMONSTRATE
23 COMPLETION OF SEVENTY-FIVE HOURS OF CONTINUING EDUCATION
24 MEETING THE CONTINUING EDUCATION CRITERIA, AS ADOPTED BY RULE,
25 PER EACH FIVE-YEAR PERIOD POST-EXAMINATION.
26 (II) THE APPLICANT HOLDS A VALID CERTIFICATION WITH THE
27 BOARD FOR CERTIFICATION OF NUTRITION SPECIALISTS, OR ITS
28 SUCCESSOR ORGANIZATION, THAT GIVES THE APPLICANT THE RIGHT TO USE
29 THE TITLE "CERTIFIED NUTRITION SPECIALIST".
30 (2) TO COMPLY WITH THE EDUCATIONAL REQUIREMENTS SET
31 FORTH IN SUBSECTION (1)(a) OF THIS SECTION AND REGARDLESS OF THE
32 COURSE OF STUDY, THE APPLICANT SHALL HAVE COMPLETED COURSEWORK
33 LEADING TO COMPETENCE IN MEDICAL NUTRITION THERAPY, INCLUDING
34 BOTH OF THE FOLLOWING:
35 (a) FIFTEEN SEMESTER HOURS OF CLINICAL OR LIFE SCIENCES, SUCH
36 AS COURSES IN CHEMISTRY, ORGANIC CHEMISTRY, BIOLOGY, MOLECULAR
37 BIOLOGY, BIOTECHNOLOGY, BOTANY, GENETICS, GENOMICS,
38 NEUROSCIENCE, EXPERIMENTAL SCIENCE, IMMUNOTHERAPY, PATHOLOGY,
39 PHARMACOLOGY, TOXICOLOGY, RESEARCH METHODS, APPLIED STATISTICS,
40 BIOSTATISTICS, EPIDEMIOLOGY, ENERGY PRODUCTION, MOLECULAR
41 PATHWAYS, HORMONE AND TRANSMITTER REGULATIONS AND IMBALANCE,
42 AND PATHOPHYSIOLOGIC BASIS OF DISEASE. THREE SEMESTER HOURS
43 MUST BE IN HUMAN ANATOMY AND PHYSIOLOGY OR THE EQUIVALENT.

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

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

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

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

22 (A) HUMAN NUTRITION;
23 (B) FOODS AND NUTRITION;
24 (C) FOOD SYSTEMS MANAGEMENT;
25 (D) NUTRITIONAL SCIENCE;
26 (E) NUTRITIONAL EDUCATION;
27 (F) COMMUNITY NUTRITION;
28 (G) PUBLIC HEALTH NUTRITION;
29 (H) NUTRITION EDUCATION;
30 (I) NUTRITION;
31 (J) NUTRITION SCIENCE;
32 (K) CLINICAL NUTRITION;
33 (L) APPLIED CLINICAL NUTRITION;
34 (M) NUTRITION COUNSELING;
35 (N) NUTRITION AND FUNCTIONAL MEDICINE;
36 (O) NUTRITIONAL BIOCHEMISTRY;
37 (P) NUTRITION AND INTEGRATIVE HEALTH; OR
38 (Q) AN EQUIVALENT COURSE OF STUDY LEADING TO COMPETENCE
39 IN MEDICAL NUTRITION THERAPY;

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

1 SEPTEMBER 1, 2026;
2 (III) PROVISION OF MEDICAL NUTRITION THERAPY TO RESIDENTS
3 OF COLORADO WITHOUT SUPERVISION FOR AT LEAST SIX MONTHS
4 IMMEDIATELY PRECEDING SEPTEMBER 1, 2026; AND
5 (IV) THE APPLICANT IS NOT A REGISTERED DIETITIAN.
6 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,
7 2028.

8 **12-223-109. Disciplinary action - grounds for discipline.**

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

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

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

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

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

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

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

34 **12-223-110. Provisional and limited permits.** (1) THE DIRECTOR
35 MAY ISSUE AN INDIVIDUAL A PROVISIONAL LICENSE TO PRACTICE AS A
36 DIETITIAN OR A NUTRITIONIST UPON THE FILING OF AN APPLICATION WITH
37 PAYMENT OF AN APPROPRIATE FEE, THE SUBMISSION OF EVIDENCE OF
38 SUCCESSFUL COMPLETION OF THE EDUCATIONAL AND SUPERVISED
39 PRACTICE REQUIREMENTS, AND THE SUBMISSION OF EVIDENCE THAT THE
40 INDIVIDUAL HAS APPLIED TO TAKE AN EXAMINATION DESCRIBED IN
41 SECTION 12-223-107 (1)(a)(III) OR 12-223-108 (1)(c)(I).

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

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

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

6 (5) THE DIRECTOR SHALL DETERMINE THE FEE FOR ISSUANCE OF A
7 PROVISIONAL LICENSE IN THE MANNER AUTHORIZED BY SECTION
8 12-20-105.

9 **12-223-111. License required - title protection.** (1) EXCEPT AS
10 OTHERWISE PROVIDED IN SECTION 12-223-113, ON AND AFTER SEPTEMBER
11 1, 2026, AN INDIVIDUAL SHALL NOT ENGAGE IN OR OFFER TO PROVIDE
12 MEDICAL NUTRITION THERAPY UNLESS THE INDIVIDUAL IS LICENSED
13 UNDER THIS ARTICLE 223.

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

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

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

30 (b) AN INDIVIDUAL SHALL NOT DESIGNATE THEMSELF OR HOLD
31 THEMSELF OUT AS A NUTRITIONIST OR USE OR ASSUME THE TITLE
32 "NUTRITIONIST" UNLESS THE INDIVIDUAL IS LICENSED UNDER THIS ARTICLE
33 223.

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

39 **12-223-112. Qualified supervisors - duties.** (1) (a) TO QUALIFY
40 AS A QUALIFIED SUPERVISOR FOR PURPOSES OF THIS ARTICLE 223, AN
41 INDIVIDUAL MUST MEET THE FOLLOWING REQUIREMENTS:

42 (I) IF SUPERVISING A STUDENT OR TRAINEE WHO IS PROVIDING
43 MEDICAL NUTRITION THERAPY IN A STATE THAT PROVIDES FOR LICENSURE

1 OR CERTIFICATION OF DIETITIANS, DIETITIAN NUTRITIONISTS, OR
2 NUTRITIONISTS, THE INDIVIDUAL MUST BE ONE OF THE FOLLOWING:

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

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

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

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

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

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

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

41 (e) A QUALIFIED SUPERVISOR SHALL BE PHYSICALLY ON SITE AND
42 PRESENT WHERE THE SUPERVISED INDIVIDUAL IS PROVIDING NUTRITION
43 CARE SERVICES OR BE IMMEDIATELY AND CONTINUOUSLY AVAILABLE TO

1 THE SUPERVISED INDIVIDUAL BY MEANS OF TWO-WAY, REAL-TIME
2 AUDIOVISUAL TECHNOLOGY THAT ALLOWS FOR DIRECT,
3 CONTEMPORANEOUS INTERACTION BY SIGHT AND SOUND BETWEEN THE
4 QUALIFIED SUPERVISOR AND THE SUPERVISED INDIVIDUAL. IF THE
5 QUALIFIED SUPERVISOR ASSIGNS A NUTRITION CARE SERVICE TO A
6 SUPERVISED INDIVIDUAL THAT IS TO BE PROVIDED IN A SETTING WHERE
7 THE QUALIFIED SUPERVISOR IS NOT ROUTINELY PRESENT, THE QUALIFIED
8 SUPERVISOR SHALL ENSURE THAT THE MEANS AND METHODS OF
9 SUPERVISION ARE ADEQUATE TO ENSURE APPROPRIATE PATIENT CARE,
10 WHICH MAY INCLUDE SYNCHRONOUS VIDEOCONFERENCING OR ANOTHER
11 METHOD OF COMMUNICATION AND OVERSIGHT THAT IS APPROPRIATE TO
12 THE CARE SETTING AND THE EDUCATION AND EXPERIENCE OF THE
13 SUPERVISED INDIVIDUAL.

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

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

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

28 **12-223-113. Exemptions.** (1) THIS ARTICLE 223 DOES NOT
29 AFFECT OR PREVENT:

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

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

39 (I) THE STUDENT OR TRAINEE PRACTICES UNDER THIS SUBSECTION
40 (1)(b) AS PART OF A COURSE OF STUDY OR AS PART OF A PLANNED,
41 CONTINUOUS SUPERVISED PRACTICE EXPERIENCE TO SATISFY
42 EDUCATIONAL OR SUPERVISED PRACTICE EXPERIENCE REQUIREMENTS
43 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
28 DUTIES;

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

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

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

38 (II) A PLAN OF CARE THAT IS OVERSEEN BY A HEALTH-CARE
39 PROFESSIONAL LICENSED IN THIS STATE WHOSE SCOPE OF PRACTICE
40 OTHERWISE AUTHORIZES THE HEALTH-CARE PROFESSIONAL TO PROVIDE
41 AND DELEGATE MEDICAL NUTRITION THERAPY, IF THE MEDICAL WEIGHT
42 CONTROL SERVICES ARE NOT DISCRETIONARY AND DO NOT REQUIRE THE
43 EXERCISE OF PROFESSIONAL JUDGMENT;

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

1 NUTRITION THERAPY AND MEDICAL NUTRITION THERAPY SERVICES VIA
2 TELEHEALTH:

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

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

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

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

23 **12-223-114. License expiration - license renewal - continuing**
24 **education - rules.** (1) THE DIRECTOR MAY RENEW LICENSES UPON
25 SATISFACTORY COMPLETION OF THE RENEWAL APPLICATION, PAYMENT OF
26 THE RENEWAL FEE, AND THE SUCCESSFUL COMPLETION OF CONTINUING
27 EDUCATION REQUIREMENTS, INCLUDING AT LEAST SEVENTY-FIVE HOURS
28 OF CONTINUING EDUCATION EVERY FIVE YEARS, AS ADOPTED BY RULE.

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

31 **12-223-115. Penalties.** (1) AN INDIVIDUAL WHO PRACTICES OR
32 OFFERS OR ATTEMPTS TO PRACTICE IN VIOLATION OF SECTION 12-223-111
33 COMMITS A CLASS 2 MISDEMEANOR PURSUANT TO SECTION 12-20-407
34 (1)(a)(V)(Y).

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

40 (3) IN ADDITION TO OTHER PENALTIES OR REMEDIES PURSUANT TO,
41 OR RULES ADOPTED UNDER, THIS ARTICLE 223, THE DIRECTOR MAY ASSESS
42 AND COLLECT ALL COSTS INCURRED IN CONNECTION WITH DISCIPLINARY
43 ACTIONS, INCLUDING INVESTIGATOR FEES, STENOGRAPHER FEES,

1 ATTORNEY FEES, AND HEARING COSTS.

2 **12-223-116. Repeal of article - review of functions.** THIS
3 ARTICLE 223 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2035. BEFORE THE
4 REPEAL, THIS ARTICLE 223 IS SCHEDULED FOR REVIEW IN ACCORDANCE
5 WITH SECTION 24-34-104.

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

8 **12-20-202. Licenses, certifications, and registrations - renewal**
9 **- reinstatement - fees - occupational credential portability program**
10 **- exceptions for military personnel, spouses, gold star military**
11 **spouses, and dependents - rules - consideration of criminal**
12 **convictions or driver's history - executive director authority -**
13 **definitions. (3) Occupational credential portability program -**
14 **definitions. (e)** Subsections (3)(a) to (3)(d) of this section do not apply
15 to the following professions or occupations:

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

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

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

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

24 **12-20-407. Unauthorized practice of profession or occupation**
25 **- penalties - exclusions. (1) (a)** A person commits a class 2 misdemeanor
26 and shall be punished as provided in section 18-1.3-501 if the person:

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

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

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

35 **6-1-724. Unlicensed alternative health-care practitioners -**
36 **deceptive trade practices - short title - legislative declaration -**
37 **definitions. (6)** A complementary and alternative health-care practitioner
38 providing complementary and alternative health-care services under this
39 section who is not licensed, certified, or registered by the state shall not:

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

43 (t) Hold ~~oneself~~ THEMSELF out as OR state, indicate, advertise, or

1 imply to a client or prospective client that ~~he or she~~ THE HEALTH-CARE
2 PRACTITIONER is a physician, surgeon, or both, or that ~~he or she is~~ THEY
3 ARE a health-care professional who is licensed, certified, or registered by
4 the state; OR
5 (u) PROVIDE MEDICAL NUTRITION THERAPY, AS REGULATED UNDER
6 ARTICLE 223 OF TITLE 12, UNLESS EXEMPT FROM REGULATION PURSUANT
7 TO SECTION 12-223-113.
8 **SECTION 5.** In Colorado Revised Statutes, **repeal** 6-1-707
9 (1)(b).
10 **SECTION 6.** In Colorado Revised Statutes, 24-34-104, **add**
11 (36)(a)(VII) as follows:
12 **24-34-104. General assembly review of regulatory agencies**
13 **and functions for repeal, continuation, or reestablishment - legislative**
14 **declaration - repeal.** (36) (a) The following agencies, functions, or both
15 are scheduled for repeal on September 1, 2035:
16 (VII) THE REGULATION OF DIETITIANS AND NUTRITIONISTS IN
17 ACCORDANCE WITH ARTICLE 223 OF TITLE 12.
18 **SECTION 7. Act subject to petition - effective date -**
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
20 the expiration of the ninety-day period after final adjournment of the
21 general assembly; except that, if a referendum petition is filed pursuant
22 to section 1 (3) of article V of the state constitution against this act or an
23 item, section, or part of this act within such period, then the act, item,
24 section, or part will not take effect unless approved by the people at the
25 general election to be held in November 2026 and, in such case, will take
26 effect on the date of the official declaration of the vote thereon by the
27 governor.
28 (2) This act applies to offenses committed on or after the
29 applicable effective date of this act."."."

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