

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

INTRODUCED

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

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF MEDICAL NUTRITION THERAPY.**

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

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.

1 **Dietitians and Nutritionists**

2 **12-223-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 223 IS
3 THE "DIETETICS AND NUTRITION PRACTICE ACT".

4 **12-223-102. Legislative declaration.** (1) THE GENERAL
5 ASSEMBLY FINDS AND DECLARES THAT:

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

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

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

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

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

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

9 (1) "BOARD" MEANS THE STATE BOARD OF DIETETICS AND
10 NUTRITION CREATED IN SECTION 12-223-105.

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

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

23 (4) "GENERAL NONMEDICAL NUTRITION INFORMATION" MEANS
24 INFORMATION ON THE FOLLOWING:

- 25 (a) ACTIONS OF NUTRIENTS IN THE HUMAN BODY;
- 26 (b) ESSENTIAL NUTRIENTS NEEDED BY THE HUMAN BODY;
- 27 (c) GENERAL AND NONINDIVIDUALIZED RECOMMENDED AMOUNTS

1 OF ESSENTIAL NUTRIENTS IN THE HUMAN BODY;

2 (d) GENERAL EDUCATION SURROUNDING FOODS, HERBS, AND
3 DIETARY SUPPLEMENTS THAT ARE GOOD SOURCES OF ESSENTIAL
4 NUTRIENTS IN THE HUMAN BODY;

5 (e) PRINCIPLES OF HUMAN NUTRITION AND FOOD PREPARATION;

6 (f) NONINDIVIDUALIZED EFFECTS OF DEFICIENCIES OR EXCESSES OF
7 NUTRIENTS IN THE HUMAN BODY; OR

8 (g) PRINCIPLES OF SELF-CARE AND A HEALTHY RELATIONSHIP WITH
9 FOOD.

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

14 (6) "LICENSED NUTRITIONIST" MEANS AN INDIVIDUAL LICENSED
15 UNDER THIS ARTICLE 223 AS MEETING THE REQUIREMENTS OF SECTION
16 12-223-108 (1) OR (5) TO PRACTICE NUTRITION, INCLUDING THE PROVISION
17 OF MEDICAL NUTRITION THERAPY.

18 (7) "MEDICAL NUTRITION THERAPY" MEANS THE PROVISION OF ONE
19 OR MORE OF THE FOLLOWING NUTRITION CARE SERVICES FOR THE PURPOSE
20 OF MANAGEMENT OR TREATMENT OF A DISEASE OR MEDICAL CONDITION:

21 (a) NUTRITION ASSESSMENT;

22 (b) NUTRITION DIAGNOSIS;

23 (c) NUTRITION INTERVENTION; OR

24 (d) NUTRITION MONITORING AND EVALUATION.

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

1 (9) (a) "NONMEDICAL WEIGHT CONTROL" MEANS NUTRITION CARE
2 SERVICES FOR THE PURPOSE OF REDUCING, MAINTAINING, OR GAINING
3 WEIGHT THAT DO NOT CONSTITUTE THE TREATMENT OR MANAGEMENT OF
4 A DISEASE OR MEDICAL CONDITION.

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

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

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

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

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

27 (12) "NUTRITION CARE SERVICES" MEANS ALL OR A PART OF THE

1 FOLLOWING SERVICES PROVIDED WITHIN A SYSTEMATIC PROCESS:

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

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

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

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

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

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

22 (13) "NUTRITION COUNSELING" MEANS A SUPPORTIVE PROCESS,
23 CHARACTERIZED BY A COLLABORATIVE COUNSELOR-PATIENT
24 RELATIONSHIP WITH INDIVIDUALS OR GROUPS, THAT ESTABLISHES FOOD
25 AND NUTRITION PRIORITIES, GOALS, AND INDIVIDUALIZED ACTION PLANS
26 AND GENERAL PHYSICAL ACTIVITY GUIDANCE, WHICH ACKNOWLEDGES
27 AND FOSTERS RESPONSIBILITY FOR SELF-CARE, PROMOTES HEALTH AND

1 WELLNESS, OR TREATS OR MANAGES AN EXISTING DISEASE OR MEDICAL
2 CONDITION.

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

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

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

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

21 (17) "PRACTICE OF DIETETICS":

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

27 (b) ENCOMPASSES THE DEVELOPMENT AND ORDERING OF

1 THERAPEUTIC DIETS VIA ORAL, ENTERAL, AND PARENTERAL ROUTES AND
2 PROVIDING OTHER ADVANCED MEDICAL NUTRITION THERAPY AND
3 RELATED SUPPORT ACTIVITIES CONSISTENT WITH CURRENT COMPETENCIES
4 REQUIRED OF ACADEMIC AND SUPERVISED PRACTICE PROGRAMS
5 ACCREDITED BY THE ACCREDITATION COUNCIL FOR EDUCATION IN
6 NUTRITION AND DIETETICS AND IN ACCORDANCE WITH THE "SCOPE AND
7 STANDARDS OF PRACTICE FOR THE REGISTERED DIETITIAN NUTRITIONIST"
8 ESTABLISHED BY THE ACADEMY OF NUTRITION AND DIETETICS.

9 (18) "PRACTICE OF NUTRITION":

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

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

15 (I) ORDERING ORAL THERAPEUTIC DIETS;

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

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

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

26 (20) "REGISTERED DIETITIAN" MEANS AN INDIVIDUAL WHO IS
27 CREDENTIALLED BY THE COMMISSION ON DIETETIC REGISTRATION, OR ITS

1 SUCCESSOR ORGANIZATION, AS A REGISTERED DIETITIAN OR A REGISTERED
2 DIETITIAN NUTRITIONIST AND IS AUTHORIZED TO USE SUCH TITLE AND THE
3 CORRESPONDING ABBREVIATIONS "RD" OR "RDN".

4 (21) "TELEHEALTH" HAS THE MEANING SET FORTH IN SECTION
5 10-16-123 (4)(e).

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

10 **12-223-105. State board of dietetics and nutrition - created -**
11 **members - repeal.** (1) (a) THERE IS CREATED THE STATE BOARD OF
12 DIETETICS AND NUTRITION, WHICH IS A **TYPE 1** ENTITY, AS DEFINED IN
13 SECTION 24-1-105, AND WHICH EXERCISES ITS POWERS AND PERFORMS ITS
14 DUTIES AND FUNCTIONS UNDER THE DIVISION. THE BOARD CONSISTS OF
15 SEVEN MEMBERS WHO ARE RESIDENTS OF THIS STATE AND ARE APPOINTED
16 BY THE GOVERNOR AS FOLLOWS:

17 (I) EXCEPT AS PROVIDED IN SUBSECTION (1)(b)(I) OF THIS SECTION,
18 THREE MEMBERS MUST BE LICENSED DIETITIANS;

19 (II) EXCEPT AS PROVIDED IN SUBSECTION (1)(b)(I) OF THIS
20 SECTION, TWO MEMBERS MUST BE LICENSED NUTRITIONISTS;

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

23 (IV) ONE MEMBER MUST NOT BE LICENSED UNDER THIS ARTICLE
24 223 OR ARTICLE 240 OF THIS TITLE 12 AND SHALL REPRESENT THE PUBLIC
25 AT LARGE.

26 (b) (I) LICENSED DIETITIANS AND LICENSED NUTRITIONISTS WHO
27 ARE MEMBERS OF THE BOARD MUST HAVE BEEN ACTIVELY PRACTICING IN

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

9 (II) EXCEPT AS PROVIDED IN SUBSECTION (1)(b)(I) OF THIS
10 SECTION:

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

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

20 (C) AT LEAST ONE MEMBER OF THE BOARD MUST BE A LICENSED
21 DIETITIAN OR LICENSED NUTRITIONIST WHOSE PRIMARY PRACTICE IS
22 CONSULTING OR THE PRIVATE PRACTICE OF DIETETICS OR NUTRITION.

23 (c) THE MEMBER OF THE BOARD APPOINTED PURSUANT TO
24 SUBSECTION (1)(a)(IV) OF THIS SECTION MUST BE A CITIZEN OR
25 PERMANENT RESIDENT OF THE UNITED STATES AND A RESIDENT OF
26 COLORADO AND MUST NOT BE ANY OF THE FOLLOWING:

27 (I) A DIETITIAN OR A NUTRITIONIST;

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

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

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

8 (V) A MEMBER OF AN ALLIED HEALTH PROFESSION OR AN
9 INDIVIDUAL ENROLLED IN A PROGRAM TO BECOME A MEMBER OF AN
10 ALLIED HEALTH PROFESSION.

11 (d) (I) THE GOVERNOR SHALL MAKE THE INITIAL APPOINTMENTS TO
12 THE BOARD ON OR BEFORE SIX MONTHS AFTER THE EFFECTIVE DATE OF
13 THIS ARTICLE 223.

14 (II) THE INITIAL TERM OF APPOINTMENT OF TWO LICENSED
15 DIETITIANS APPOINTED PURSUANT TO SUBSECTION (1)(a)(I) OF THIS
16 SECTION, ONE LICENSED NUTRITIONIST APPOINTED PURSUANT TO
17 SUBSECTION (1)(a)(II) OF THIS SECTION, AND THE MEMBER REPRESENTING
18 THE PUBLIC AT LARGE APPOINTED PURSUANT TO SUBSECTION (1)(a)(IV) OF
19 THIS SECTION IS TWO YEARS, WITH THE INITIAL TERM OF APPOINTMENT FOR
20 THE REMAINING MEMBERS OF THE BOARD BEING THREE YEARS.

21 (III) THIS SUBSECTION (1)(d) IS REPEALED, EFFECTIVE DECEMBER
22 1, 2030.

23 (e) (I) EACH MEMBER OF THE BOARD SERVES AT THE PLEASURE OF
24 THE GOVERNOR. EXCEPT AS PROVIDED IN SUBSECTION (1)(d) OF THIS
25 SECTION, THE TERM OF APPOINTMENT IS THREE YEARS. A MEMBER SHALL
26 NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

27 (II) EACH MEMBER OF THE BOARD SHALL RECEIVE THE

1 COMPENSATION PROVIDED FOR IN SECTION 12-20-103 (6).

2 (III) THE DIRECTOR OF THE DIVISION SHALL CALL THE FIRST
3 MEETING OF THE BOARD NO LATER THAN THREE MONTHS AFTER THE
4 GOVERNOR MAKES ALL OF THE INITIAL APPOINTMENTS TO THE BOARD.

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

8 (V) THE BOARD SHALL MEET AT LEAST ONCE EVERY THREE
9 MONTHS, OR MORE FREQUENTLY AS DETERMINED NECESSARY BY THE
10 CHAIR.

11 (2) THE CHAIR IS AN OFFICIAL REPRESENTATIVE OF THE BOARD
12 AND IS RESPONSIBLE FOR THE DAILY ACTIVITIES OF THE BOARD AND ITS
13 STAFF.

14 **12-223-106. Powers and duties of the board - rules.** (1) IN
15 ADDITION TO THE OTHER POWERS AND DUTIES OF THE BOARD AS SET
16 FORTH IN THIS ARTICLE 223 AND ARTICLES 20 AND 30 OF THIS TITLE 12,
17 THE BOARD HAS THE FOLLOWING POWERS AND DUTIES:

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

20 (b) TO KEEP A RECORD OF THE BOARD'S PROCEEDINGS, A REGISTER
21 OF ALL APPLICANTS FOR LICENSURE, AND A REGISTER OF ALL LICENSED
22 DIETITIANS AND LICENSED NUTRITIONISTS;

23 (c) TO ADOPT RULES PURSUANT TO SECTION 12-20-204 TO GOVERN
24 THE BOARD'S ACTIONS AND PROVIDE FOR THE ENFORCEMENT OF THIS
25 ARTICLE 223;

26 (d) TO ADOPT THE LICENSURE STANDARDS PRESCRIBED IN THIS
27 ARTICLE 223 AND RULES RELEVANT TO LICENSURE, INCLUDING ADOPTING

- 1 UPDATED STANDARDS OF ACCREDITING ORGANIZATIONS;
- 2 (e) TO ADOPT BY RULE A CODE OF ETHICS AND STANDARDS OF
- 3 PRACTICE AND PROFESSIONAL RESPONSIBILITIES;
- 4 (f) (I) TO ESTABLISH AND COLLECT THE FEES FOR LICENSURE AND
- 5 RENEWAL AND REINSTATEMENT OF LICENSURE IN THE MANNER
- 6 AUTHORIZED BY SECTION 12-20-105; AND
- 7 (II) TO ESTABLISH AND COLLECT FEES AND MAKE EXPENDITURES
- 8 AS REQUIRED BY THIS ARTICLE 223;
- 9 (g) TO ADMINISTER CONTINUING EDUCATION REQUIREMENTS FOR
- 10 THE RENEWAL OF A LICENSE, AS SET FORTH IN SECTION 12-223-114;
- 11 (h) TO RECEIVE AND PROCESS COMPLAINTS AND INVESTIGATE
- 12 ALLEGED VIOLATIONS OF THIS ARTICLE 223;
- 13 (i) TO CONDUCT ADMINISTRATIVE HEARINGS IN ACCORDANCE WITH
- 14 SECTION 12-20-403 IN ALL MATTERS RELATING TO THE EXERCISE AND
- 15 PERFORMANCE OF THE POWERS AND DUTIES VESTED IN THE BOARD;
- 16 (j) TO OBTAIN A SET OF FINGERPRINTS FROM AN APPLICANT FOR
- 17 INITIAL LICENSURE PURSUANT TO SECTION 12-223-107 (2) OR 12-223-108
- 18 (3);
- 19 (k) TO SEEK AN INJUNCTION IN ACCORDANCE WITH SECTION
- 20 12-20-406 TO ENJOIN AN ACT OR PRACTICE THAT CONSTITUTES A
- 21 VIOLATION OF THIS ARTICLE 223;
- 22 (l) TO PROVIDE FOR EXAMINATION OR WAIVER OF EXAMINATION
- 23 FOR APPLICANTS PURSUANT TO SECTION 12-223-107 (1)(a)(III) OR
- 24 12-223-108 (1)(c)(I) OR (5);
- 25 (m) TO IMPOSE PENALTIES IN ACCORDANCE WITH THIS ARTICLE 223
- 26 AND WITH SECTIONS 12-20-404 AND 12-20-407; AND
- 27 (n) TO ADOPT A SEAL OR OTHER METHOD TO AUTHENTICATE

1 DOCUMENTS.

2 (2) BOARD MEMBERS SHALL REMAIN IMPARTIAL IN ALL MATTERS
3 THAT COME BEFORE THE BOARD AND SHALL RECUSE THEMSELVES FROM
4 PARTICIPATION IN ANY MATTER FOR WHICH THEY HAVE A PERSONAL OR
5 FINANCIAL INTEREST TO AVOID A CONFLICT OF INTEREST.

6 **12-223-107. Licensure of dietitians - qualifications -**
7 **application.** (1) ON AND AFTER SEPTEMBER 1, 2026, AN INDIVIDUAL WHO
8 PRACTICES AS A DIETITIAN OR WHO HOLDS THEMSELF OUT AS BEING ABLE
9 TO PRACTICE AS A DIETITIAN MUST POSSESS A VALID LICENSE ISSUED
10 PURSUANT TO THIS ARTICLE 223. EACH APPLICANT FOR A LICENSE AS A
11 DIETITIAN SHALL SUBMIT A COMPLETED APPLICATION AS REQUIRED BY THE
12 BOARD DEMONSTRATING THE APPLICANT IS CAPABLE AND
13 PROFESSIONALLY COMPETENT, AS DETERMINED BY THE BOARD, TO SAFELY
14 ENGAGE IN THE PRACTICES OF DIETETICS AND NUTRITION, SUBMIT THE
15 FEES AS REQUIRED BY THE BOARD, SUBMIT FINGERPRINTS PURSUANT TO
16 SUBSECTION (2) OF THIS SECTION, AND SUBMIT PROOF OF ONE OF THE
17 FOLLOWING:

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

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

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

27 (B) AN INTERNATIONAL ACADEMIC DEGREE THAT THE BOARD

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

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

16 (III) SUCCESSFUL COMPLETION OF THE REGISTRATION
17 EXAMINATION FOR DIETITIANS ADMINISTERED BY THE COMMISSION ON
18 DIETETIC REGISTRATION, OR ITS SUCCESSOR ORGANIZATION. IF PASSAGE
19 OF THE EXAMINATION OCCURRED MORE THAN FIVE YEARS BEFORE THE
20 APPLICATION FOR LICENSURE, THE APPLICANT SHALL DEMONSTRATE
21 COMPLETION OF SEVENTY-FIVE HOURS OF CONTINUING EDUCATION
22 MEETING THE CONTINUING EDUCATION CRITERIA OF THE BOARD PER EACH
23 FIVE-YEAR PERIOD POST-EXAMINATION.

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

1 (2) (a) AN APPLICANT FOR LICENSURE AS A DIETITIAN PURSUANT
2 TO THIS ARTICLE 223 SHALL SUBMIT TO A FINGERPRINT-BASED CRIMINAL
3 HISTORY RECORD CHECK. THE APPLICANT MUST PAY THE COSTS
4 ASSOCIATED WITH THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD
5 CHECK.

6 (b) AFTER SUBMITTING AN APPLICATION FOR A LICENSE, THE
7 APPLICANT SHALL HAVE THE APPLICANT'S FINGERPRINTS TAKEN BY A
8 LOCAL LAW ENFORCEMENT AGENCY OR ANY THIRD PARTY APPROVED BY
9 THE COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF
10 OBTAINING A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK. THE
11 APPLICANT SHALL AUTHORIZE THE ENTITY TAKING THE APPLICANT'S
12 FINGERPRINTS TO SUBMIT, AND THE ENTITY SHALL SUBMIT, THE COMPLETE
13 SET OF THE APPLICANT'S FINGERPRINTS TO THE COLORADO BUREAU OF
14 INVESTIGATION FOR THE PURPOSE OF CONDUCTING A FINGERPRINT-BASED
15 CRIMINAL HISTORY RECORD CHECK.

16 (c) IF AN APPROVED THIRD PARTY TAKES THE APPLICANT'S
17 FINGERPRINTS, THE FINGERPRINTS MAY BE ELECTRONICALLY CAPTURED
18 USING COLORADO BUREAU OF INVESTIGATION-APPROVED LIVESCAN
19 EQUIPMENT. THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT'S
20 INFORMATION FOR MORE THAN THIRTY DAYS.

21 (d) THE COLORADO BUREAU OF INVESTIGATION SHALL USE THE
22 APPLICANT'S FINGERPRINTS TO CONDUCT A CRIMINAL HISTORY RECORD
23 CHECK USING THE BUREAU'S RECORDS. THE COLORADO BUREAU OF
24 INVESTIGATION SHALL ALSO FORWARD THE FINGERPRINTS TO THE FEDERAL
25 BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING A
26 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK. THE COLORADO
27 BUREAU OF INVESTIGATION, APPLICANT, BOARD, AND ENTITY TAKING

1 FINGERPRINTS SHALL COMPLY WITH THE FEDERAL BUREAU OF
2 INVESTIGATION'S REQUIREMENTS TO CONDUCT A CRIMINAL HISTORY
3 RECORD CHECK.

4 (e) THE COLORADO BUREAU OF INVESTIGATION SHALL RETURN THE
5 RESULTS OF ITS CRIMINAL HISTORY RECORD CHECK TO THE BOARD, AND
6 THE BOARD IS AUTHORIZED TO RECEIVE THE RESULTS OF THE FEDERAL
7 BUREAU OF INVESTIGATION'S CRIMINAL HISTORY RECORD CHECK. THE
8 BOARD SHALL USE THE INFORMATION RESULTING FROM THE CRIMINAL
9 HISTORY RECORD CHECKS TO INVESTIGATE AND DETERMINE WHETHER AN
10 APPLICANT IS QUALIFIED TO HOLD A LICENSE PURSUANT TO THIS ARTICLE
11 223.

12 (f) WHEN THE RESULTS OF A FINGERPRINT-BASED CRIMINAL
13 HISTORY RECORD CHECK OF AN APPLICANT PERFORMED PURSUANT TO THIS
14 SECTION REVEAL A RECORD OF ARREST WITHOUT A DISPOSITION, THE
15 BOARD SHALL REQUIRE THE APPLICANT TO SUBMIT TO A NAME-BASED
16 JUDICIAL RECORD CHECK, AS DEFINED IN SECTION 22-2-119.3 (6)(d).

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

21 **12-223-108. Licensure of nutritionists - qualifications -**
22 **application - transitional license - rules - repeal.** (1) ON AND AFTER
23 SEPTEMBER 1, 2026, AN INDIVIDUAL WHO PRACTICES AS A NUTRITIONIST
24 OR WHO HOLDS THEMSELF OUT AS BEING ABLE TO PRACTICE AS A
25 NUTRITIONIST MUST POSSESS A VALID LICENSE ISSUED PURSUANT TO THIS
26 ARTICLE 223. EACH APPLICANT FOR A LICENSE AS A NUTRITIONIST SHALL
27 SUBMIT A COMPLETED APPLICATION AS REQUIRED BY THE BOARD

1 DEMONSTRATING THE APPLICANT IS CAPABLE AND PROFESSIONALLY
2 COMPETENT, AS DETERMINED BY THE BOARD, TO SAFELY ENGAGE IN THE
3 PRACTICE OF NUTRITION, SUBMIT THE FEES AS REQUIRED BY THE BOARD,
4 SUBMIT FINGERPRINTS PURSUANT TO SUBSECTION (3) OF THIS SECTION,
5 AND SUBMIT PROOF OF COMPLETION OF ALL THE FOLLOWING EDUCATIONAL
6 REQUIREMENTS, SUPERVISED PRACTICE EXPERIENCES, AND EXAMINATION
7 REQUIREMENTS:

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

- 18 (I) HUMAN NUTRITION;
- 19 (II) FOODS AND NUTRITION;
- 20 (III) COMMUNITY NUTRITION;
- 21 (IV) PUBLIC HEALTH NUTRITION;
- 22 (V) NUTRITION EDUCATION;
- 23 (VI) NUTRITION;
- 24 (VII) NUTRITION SCIENCE;
- 25 (VIII) CLINICAL NUTRITION;
- 26 (IX) APPLIED CLINICAL NUTRITION;
- 27 (X) NUTRITION COUNSELING;

- 1 (XI) NUTRITION AND FUNCTIONAL MEDICINE;
- 2 (XII) NUTRITIONAL BIOCHEMISTRY;
- 3 (XIII) NUTRITION AND INTEGRATIVE HEALTH; OR
- 4 (XIV) A COMPARABLY TITLED MAJOR;

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

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

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

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

21 (III) THE BOARD DETERMINES THAT THE SUPERVISED PRACTICE
22 EXPERIENCE HAS PREPARED THE APPLICANT TO PROVIDE NUTRITION CARE
23 SERVICES FOR VARIOUS POPULATIONS OF DIVERSE CULTURES, OF GENDERS,
24 AND ACROSS THE LIFE CYCLE AND TO BE ABLE TO COMPETENTLY
25 FORMULATE ACTIONABLE MEDICAL NUTRITION THERAPIES AND
26 INTERVENTIONS, EDUCATION, COUNSELING, AND ONGOING CARE FOR THE
27 PREVENTION, MODULATION, AND MANAGEMENT OF A RANGE OF CHRONIC

1 MEDICAL CONDITIONS; AND

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

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

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

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

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

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

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

18 (3) (a) AN APPLICANT FOR LICENSURE AS A NUTRITIONIST
19 PURSUANT TO THIS ARTICLE 223 SHALL SUBMIT TO A FINGERPRINT-BASED
20 CRIMINAL HISTORY RECORD CHECK. THE APPLICANT MUST PAY THE COSTS
21 ASSOCIATED WITH THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD
22 CHECK.

23 (b) AFTER SUBMITTING AN APPLICATION FOR A LICENSE, THE
24 APPLICANT SHALL HAVE THE APPLICANT'S FINGERPRINTS TAKEN BY A
25 LOCAL LAW ENFORCEMENT AGENCY OR ANY THIRD PARTY APPROVED BY
26 THE COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF
27 OBTAINING A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK. THE

1 APPLICANT SHALL AUTHORIZE THE ENTITY TAKING THE APPLICANT'S
2 FINGERPRINTS TO SUBMIT, AND THE ENTITY SHALL SUBMIT, THE COMPLETE
3 SET OF THE APPLICANT'S FINGERPRINTS TO THE COLORADO BUREAU OF
4 INVESTIGATION FOR THE PURPOSE OF CONDUCTING A FINGERPRINT-BASED
5 CRIMINAL HISTORY RECORD CHECK.

6 (c) IF AN APPROVED THIRD PARTY TAKES THE APPLICANT'S
7 FINGERPRINTS, THE FINGERPRINTS MAY BE ELECTRONICALLY CAPTURED
8 USING COLORADO BUREAU OF INVESTIGATION-APPROVED LIVESCAN
9 EQUIPMENT. THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT'S
10 INFORMATION FOR MORE THAN THIRTY DAYS.

11 (d) THE COLORADO BUREAU OF INVESTIGATION SHALL USE THE
12 APPLICANT'S FINGERPRINTS TO CONDUCT A CRIMINAL HISTORY RECORD
13 CHECK USING THE BUREAU'S RECORDS. THE COLORADO BUREAU OF
14 INVESTIGATION SHALL ALSO FORWARD THE FINGERPRINTS TO THE FEDERAL
15 BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING A
16 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK. THE COLORADO
17 BUREAU OF INVESTIGATION, APPLICANT, BOARD, AND ENTITY TAKING
18 FINGERPRINTS SHALL COMPLY WITH THE FEDERAL BUREAU OF
19 INVESTIGATION'S REQUIREMENTS TO CONDUCT A CRIMINAL HISTORY
20 RECORD CHECK.

21 (e) THE COLORADO BUREAU OF INVESTIGATION SHALL RETURN THE
22 RESULTS OF ITS CRIMINAL HISTORY RECORD CHECK TO THE BOARD, AND
23 THE BOARD IS AUTHORIZED TO RECEIVE THE RESULTS OF THE FEDERAL
24 BUREAU OF INVESTIGATION'S CRIMINAL HISTORY RECORD CHECK. THE
25 BOARD SHALL USE THE INFORMATION RESULTING FROM THE CRIMINAL
26 HISTORY RECORD CHECKS TO INVESTIGATE AND DETERMINE WHETHER AN
27 APPLICANT IS QUALIFIED TO HOLD A LICENSE PURSUANT TO THIS ARTICLE

1 223.

2 (f) WHEN THE RESULTS OF A FINGERPRINT-BASED CRIMINAL
3 HISTORY RECORD CHECK OF AN APPLICANT PERFORMED PURSUANT TO THIS
4 SECTION REVEAL A RECORD OF ARREST WITHOUT A DISPOSITION, THE
5 BOARD SHALL REQUIRE THE APPLICANT TO SUBMIT TO A NAME-BASED
6 JUDICIAL RECORD CHECK, AS DEFINED IN SECTION 22-2-119.3 (6)(d).

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

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

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

- 20 (A) HUMAN NUTRITION;
- 21 (B) FOODS AND NUTRITION;
- 22 (C) FOOD SYSTEMS MANAGEMENT;
- 23 (D) NUTRITIONAL SCIENCE;
- 24 (E) NUTRITIONAL EDUCATION;
- 25 (F) COMMUNITY NUTRITION;
- 26 (G) PUBLIC HEALTH NUTRITION;
- 27 (H) NUTRITION EDUCATION;

- 1 (I) NUTRITION;
- 2 (J) NUTRITION SCIENCE;
- 3 (K) CLINICAL NUTRITION;
- 4 (L) APPLIED CLINICAL NUTRITION;
- 5 (M) NUTRITION COUNSELING;
- 6 (N) NUTRITION AND FUNCTIONAL MEDICINE;
- 7 (O) NUTRITIONAL BIOCHEMISTRY;
- 8 (P) NUTRITION AND INTEGRATIVE HEALTH; OR
- 9 (Q) AN EQUIVALENT COURSE OF STUDY LEADING TO COMPETENCE
- 10 IN MEDICAL NUTRITION THERAPY;

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

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

19 (IV) THE APPLICANT IS NOT A REGISTERED DIETITIAN.

20 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE SEPTEMBER 1,
21 2028.

22 **12-223-109. Disciplinary action - grounds for discipline.**

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

1 MORE OF THE FOLLOWING GROUNDS FOR DISCIPLINE OR UNPROFESSIONAL
2 CONDUCT:

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

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

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

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

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

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

21 **12-223-110. Provisional and limited permits.** (1) THE BOARD
22 MAY ISSUE AN INDIVIDUAL A PROVISIONAL LICENSE TO PRACTICE AS A
23 DIETITIAN OR A NUTRITIONIST UPON THE FILING OF AN APPLICATION WITH
24 PAYMENT OF AN APPROPRIATE FEE, THE SUBMISSION OF EVIDENCE OF
25 SUCCESSFUL COMPLETION OF THE EDUCATIONAL AND SUPERVISED
26 PRACTICE REQUIREMENTS, AND THE SUBMISSION OF EVIDENCE THAT THE
27 INDIVIDUAL HAS APPLIED TO TAKE AN EXAMINATION DESCRIBED IN

1 SECTION 12-223-107 (1)(a)(III) OR 12-223-108 (1)(c)(I).

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

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

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

9 (5) THE BOARD SHALL DETERMINE THE FEE FOR ISSUANCE OF A
10 PROVISIONAL LICENSE IN THE MANNER AUTHORIZED BY SECTION
11 12-20-105.

12 **12-223-111. License required - title protection.** (1) EXCEPT AS
13 OTHERWISE PROVIDED IN SECTION 12-223-113, ON AND AFTER SEPTEMBER
14 1, 2026, AN INDIVIDUAL SHALL NOT ENGAGE IN OR OFFER TO PROVIDE
15 MEDICAL NUTRITION THERAPY UNLESS THE INDIVIDUAL IS LICENSED
16 UNDER THIS ARTICLE 223.

17 (2) (a) AN INDIVIDUAL SHALL NOT DESIGNATE THEMSELF OR HOLD
18 THEMSELF OUT AS A LICENSED DIETITIAN OR USE OR ASSUME THE TITLE
19 "DIETITIAN", "DIETITIAN NUTRITIONIST", OR "DIETICIAN", OR ANOTHER
20 TITLE INDICATING THAT THE INDIVIDUAL IS A LICENSED DIETITIAN, UNLESS
21 THE INDIVIDUAL IS LICENSED AS A DIETITIAN UNDER THIS ARTICLE 223.

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

26 (3) (a) AN INDIVIDUAL SHALL NOT USE OR ASSUME A TITLE
27 INDICATING THAT THE INDIVIDUAL IS A LICENSED NUTRITIONIST OR APPEND

1 TO, OR USE IN CONJUNCTION WITH, THE INDIVIDUAL'S NAME THE LETTERS
2 "LN" UNLESS THE INDIVIDUAL IS LICENSED AS A NUTRITIONIST UNDER THIS
3 ARTICLE 223.

4 (b) AN INDIVIDUAL SHALL NOT DESIGNATE THEMSELF OR HOLD
5 THEMSELF OUT AS A NUTRITIONIST OR USE OR ASSUME THE TITLE
6 "NUTRITIONIST" UNLESS THE INDIVIDUAL IS LICENSED UNDER THIS ARTICLE
7 223.

8 (4) AN INDIVIDUAL IS NOT PROHIBITED BY THIS ARTICLE 223 FROM
9 IDENTIFYING THEMSELF USING AN EARNED, FEDERALLY TRADEMARKED
10 NUTRITION CREDENTIAL, BUT SUCH PERMITTED USE DOES NOT GIVE THE
11 INDIVIDUAL THE RIGHT TO PRACTICE MEDICAL NUTRITION THERAPY OR
12 IDENTIFY THEMSELF USING THE GENERAL TITLES OF "DIETITIAN",
13 "DIETITIAN NUTRITIONIST", OR "NUTRITIONIST" UNLESS THE INDIVIDUAL
14 IS ALSO LICENSED UNDER THIS ARTICLE 223.

15 **12-223-112. Qualified supervisors - duties.** (1) (a) TO QUALIFY
16 AS A QUALIFIED SUPERVISOR FOR PURPOSES OF THIS ARTICLE 223, AN
17 INDIVIDUAL MUST MEET THE FOLLOWING REQUIREMENTS:

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

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

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

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

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

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

20 (c) A QUALIFIED SUPERVISOR SHALL DEVELOP AND CARRY OUT A
21 PROGRAM FOR ADVANCING AND OPTIMIZING THE QUALITY OF CARE
22 PROVIDED BY A STUDENT OR TRAINEE BEING SUPERVISED. THE QUALIFIED
23 SUPERVISOR AND THE STUDENT OR TRAINEE BEING SUPERVISED SHALL
24 IDENTIFY AND DOCUMENT GOALS FOR SUPERVISED PRACTICE EXPERIENCE,
25 THE ASSIGNMENT OF CLINICAL TASKS AS APPROPRIATE TO THE SUPERVISED
26 INDIVIDUAL'S EVOLVING LEVEL OF COMPETENCE, THE SUPERVISED
27 INDIVIDUAL'S RELATIONSHIP AND ACCESS TO THE QUALIFIED SUPERVISOR,

1 AND A PROCESS FOR EVALUATING THE STUDENT OR TRAINEE'S
2 PERFORMANCE.

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

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

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

26 (g) A QUALIFIED SUPERVISOR SHALL BE AVAILABLE TO RENDER
27 ASSISTANCE DURING THE PROVISION OF NUTRITION CARE SERVICES WHEN

1 REQUESTED BY A PATIENT OR SHALL HAVE ARRANGED FOR ANOTHER
2 QUALIFIED PRACTITIONER LAWFULLY ABLE TO RENDER NUTRITION CARE
3 SERVICES TO BE AVAILABLE IN THE ABSENCE OF THE QUALIFIED
4 SUPERVISOR.

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

9 **12-223-113. Exemptions.** (1) THIS ARTICLE 223 DOES NOT
10 AFFECT OR PREVENT:

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

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

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

25 (II) THE STUDENT OR TRAINEE WHO IS COMPLETING THE
26 SUPERVISED PRACTICE EXPERIENCE REQUIRED UNDER SECTION 12-223-107
27 (1)(a)(II) OR 12-223-108 (1)(b) PRACTICES UNDER THIS SUBSECTION (1)(b)

1 NOT MORE THAN FIVE YEARS AFTER COMPLETING THE EDUCATIONAL
2 REQUIREMENTS UNDER SECTION 12-223-107 (1)(a)(I) OR 12-223-108
3 (1)(a);

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

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

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

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

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

26 (e) AN INDIVIDUAL WHO DOES NOT REPRESENT THEMSELF USING
27 TITLES PROTECTED UNDER SECTION 12-223-111 FROM PROVIDING MEDICAL

1 WEIGHT CONTROL FOR OBESITY AS PART OF THE FOLLOWING:

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

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

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

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

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

22 (I) A LICENSED DIETITIAN;

23 (II) A LICENSED NUTRITIONIST; OR

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

25 (g) AN INDIVIDUAL FROM DISSEMINATING NONINDIVIDUALIZED,
26 WRITTEN, GENERAL NONMEDICAL NUTRITION INFORMATION IN
27 CONNECTION WITH THE MARKETING AND DISTRIBUTION OF DIETARY

1 SUPPLEMENTS, FOOD, HERBS, OR FOOD MATERIALS, INCLUDING
2 EXPLANATIONS OF THEIR FEDERALLY REGULATED LABEL CLAIMS, THEIR
3 KNOWN DRUG-NUTRIENT INTERACTIONS, THEIR ROLE IN VARIOUS DIETS, OR
4 SUGGESTIONS AS HOW TO BEST USE AND COMBINE THEM, SO LONG AS SUCH
5 INFORMATION DOES NOT CONSTITUTE MEDICAL NUTRITION THERAPY AND
6 THE INDIVIDUAL DOES NOT REPRESENT THEMSELF USING TITLES
7 PROTECTED UNDER SECTION 12-223-111;

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

14 (I) THE SERVICES DO NOT CONSTITUTE MEDICAL NUTRITION
15 THERAPY;

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

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

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

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

27 (II) IS A HEALTH-CARE PROFESSIONAL LICENSED OR CERTIFIED IN

1 GOOD STANDING IN A STATE OR TERRITORY, WITH A LICENSED OR
2 CERTIFIED SCOPE OF PRACTICE THAT INCLUDES THE PROVISION OF MEDICAL
3 NUTRITION THERAPY AND MEDICAL NUTRITION THERAPY SERVICES VIA
4 TELEHEALTH:

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

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

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

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

25 **12-223-114. License expiration - license renewal - continuing**
26 **education - rules.** (1) THE BOARD MAY RENEW LICENSES UPON
27 SATISFACTORY COMPLETION OF THE RENEWAL APPLICATION, PAYMENT OF

1 THE RENEWAL FEE, AND THE SUCCESSFUL COMPLETION OF CONTINUING
2 EDUCATION REQUIREMENTS, INCLUDING AT LEAST SEVENTY-FIVE HOURS
3 OF CONTINUING EDUCATION EVERY FIVE YEARS, AS DETERMINED BY THE
4 BOARD.

5 (2) THE BOARD SHALL ADOPT RULES ESTABLISHING CONTINUING
6 EDUCATION REQUIREMENTS FOR RENEWING LICENSES.

7 **12-223-115. Penalties.** (1) AN INDIVIDUAL WHO PRACTICES OR
8 OFFERS OR ATTEMPTS TO PRACTICE AS A DIETITIAN OR A NUTRITIONIST, OR
9 AN INDIVIDUAL WHO PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE
10 MEDICAL NUTRITION THERAPY, WITHOUT BEING LICENSED PURSUANT TO
11 THIS ARTICLE 223 COMMITS A CLASS 2 MISDEMEANOR PURSUANT TO
12 SECTION 12-20-407 (1)(a)(V)(Y).

13 (2) IN ADDITION TO OTHER PENALTIES OR REMEDIES PURSUANT TO,
14 OR RULES ADOPTED UNDER, THIS ARTICLE 223, THE BOARD MAY IMPOSE AN
15 ADMINISTRATIVE FINE IN ACCORDANCE WITH SECTION 12-20-404 (1)(c)
16 AGAINST AN INDIVIDUAL WHO VIOLATES A PROVISION OF THIS ARTICLE
17 223.

18 (3) IN ADDITION TO OTHER PENALTIES OR REMEDIES PURSUANT TO,
19 OR RULES ADOPTED UNDER, THIS ARTICLE 223, THE BOARD MAY ASSESS
20 AND COLLECT ALL COSTS INCURRED IN CONNECTION WITH DISCIPLINARY
21 ACTIONS, INCLUDING INVESTIGATOR FEES, STENOGRAPHER FEES,
22 ATTORNEY FEES, AND HEARING COSTS.

23 **12-223-116. Repeal of article - review of functions.** THIS
24 ARTICLE 223 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2035. BEFORE THE
25 REPEAL, THIS ARTICLE 223 IS SCHEDULED FOR REVIEW IN ACCORDANCE
26 WITH SECTION 24-34-104.

27 **SECTION 2.** In Colorado Revised Statutes, 12-20-202, **amend**

1 (3)(e)(X) and (3)(e)(XI); and **add** (3)(e)(XII) as follows:

2 **12-20-202. Licenses, certifications, and registrations - renewal**
3 **- reinstatement - fees - occupational credential portability program**
4 **- exceptions for military personnel, spouses, gold star military**
5 **spouses, and dependents - rules - consideration of criminal**
6 **convictions or driver's history - executive director authority -**
7 **definitions. (3) Occupational credential portability program -**
8 **definitions. (e) Subsections (3)(a) to (3)(d) of this section do not apply**
9 **to the following professions or occupations:**

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

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

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

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

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

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

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

27 **SECTION 4.** In Colorado Revised Statutes, 6-1-724, **amend**

1 (6)(s) and (6)(t); and **add** (6)(u) as follows:

2 **6-1-724. Unlicensed alternative health-care practitioners -**
3 **deceptive trade practices - short title - legislative declaration -**
4 **definitions.** (6) A complementary and alternative health-care practitioner

5 providing complementary and alternative health-care services under this
6 section who is not licensed, certified, or registered by the state shall not:

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

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

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

18 **SECTION 5.** In Colorado Revised Statutes, 24-34-104, **add**
19 (36)(a)(VII) as follows:

20 **24-34-104. General assembly review of regulatory agencies**
21 **and functions for repeal, continuation, or reestablishment - legislative**
22 **declaration - repeal.** (36) (a) The following agencies, functions, or both
23 are scheduled for repeal on September 1, 2035:

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

26 **SECTION 6.** In Colorado Revised Statutes, 24-1-122, **add**
27 (3)(oo) as follows:

1 **24-1-122. Department of regulatory agencies - creation.** (3) The
2 following boards and agencies in the department of regulatory agencies are
3 allocated to the division of professions and occupations and are **type 1**
4 entities, as defined in section 24-1-105:

5 (oo) THE STATE BOARD OF DIETETICS AND NUTRITION, CREATED IN
6 ARTICLE 223 OF TITLE 12.

7 **SECTION 7. 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 to
11 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.