

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0441.01 Josh Schultz x5486

**HOUSE BILL 25-1220**

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**HOUSE SPONSORSHIP**

**McCormick and Hartsook,**

**SENATE SPONSORSHIP**

**Pelton B. and Mullica,**

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**House Committees**

Health & Human Services  
Finance  
Appropriations

**Senate Committees**

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

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

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

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

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

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

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

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

27          (10) (a) "NUTRITION ASSESSMENT" MEANS THE ONGOING,

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

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

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

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

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

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

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

1 THE DIETS' EFFECTIVENESS;

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

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

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

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

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

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

27 (b) "NUTRITION INTERVENTION" INCLUDES APPROVING, ORDERING,

1 AND MONITORING THERAPEUTIC DIETS AND COUNSELING ON FOOD AND  
2 PRESCRIPTION DRUG INTERACTIONS.

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

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

12 (17) "PRACTICE OF DIETETICS":

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

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

27 (18) "PRACTICE OF NUTRITION":



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

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

6 (I) ORDERING ORAL THERAPEUTIC DIETS;

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

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

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

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

22 (21) "TELEHEALTH" HAS THE MEANING SET FORTH IN SECTION  
23 10-16-123 (4)(e).

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

1           **12-223-105. State board of dietetics and nutrition - created -**

2           **members - repeal.** (1) (a) THERE IS CREATED THE STATE BOARD OF  
3 DIETETICS AND NUTRITION, WHICH IS A **TYPE 1** ENTITY, AS DEFINED IN  
4 SECTION 24-1-105, AND WHICH EXERCISES ITS POWERS AND PERFORMS ITS  
5 DUTIES AND FUNCTIONS UNDER THE DIVISION. THE BOARD CONSISTS OF  
6 SEVEN MEMBERS WHO ARE RESIDENTS OF THIS STATE AND ARE APPOINTED  
7 BY THE GOVERNOR AS FOLLOWS:

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

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

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

14          (IV) ONE MEMBER MUST NOT BE LICENSED UNDER THIS ARTICLE  
15 223 OR ARTICLE 240 OF THIS TITLE 12 AND SHALL REPRESENT THE PUBLIC  
16 AT LARGE.

17          (b) (I) LICENSED DIETITIANS AND LICENSED NUTRITIONISTS WHO  
18 ARE MEMBERS OF THE BOARD MUST HAVE BEEN ACTIVELY PRACTICING IN  
19 THE FIELD OF DIETETICS OR NUTRITION FOR NOT LESS THAN FIVE YEARS.  
20 THE DIETITIANS AND NUTRITIONISTS INITIALLY APPOINTED TO THE BOARD  
21 MUST BE ELIGIBLE FOR LICENSURE PURSUANT TO THIS ARTICLE 223 AND  
22 MUST MAINTAIN LICENSURE, ONCE AVAILABLE, WHILE SERVING ON THE  
23 BOARD; THEREAFTER, LICENSED DIETITIANS AND LICENSED NUTRITIONISTS  
24 APPOINTED TO THE BOARD MUST BE LICENSED PURSUANT TO THIS ARTICLE  
25 223 AND MUST MAINTAIN ACTIVE LICENSURE WHILE SERVING ON THE  
26 BOARD.

27          (II) EXCEPT AS PROVIDED IN SUBSECTION (1)(b)(I) OF THIS

1 SECTION:

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

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

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

14 (c) THE MEMBER OF THE BOARD APPOINTED PURSUANT TO  
15 SUBSECTION (1)(a)(IV) OF THIS SECTION MUST BE A CITIZEN OR  
16 PERMANENT RESIDENT OF THE UNITED STATES AND A RESIDENT OF  
17 COLORADO AND MUST NOT BE ANY OF THE FOLLOWING:

18 (I) A DIETITIAN OR A NUTRITIONIST;

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

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

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

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

1 ALLIED HEALTH PROFESSION.

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

5 (II) THE INITIAL TERM OF APPOINTMENT OF TWO LICENSED  
6 DIETITIANS APPOINTED PURSUANT TO SUBSECTION (1)(a)(I) OF THIS  
7 SECTION, ONE LICENSED NUTRITIONIST APPOINTED PURSUANT TO  
8 SUBSECTION (1)(a)(II) OF THIS SECTION, AND THE MEMBER REPRESENTING  
9 THE PUBLIC AT LARGE APPOINTED PURSUANT TO SUBSECTION (1)(a)(IV) OF  
10 THIS SECTION IS TWO YEARS, WITH THE INITIAL TERM OF APPOINTMENT FOR  
11 THE REMAINING MEMBERS OF THE BOARD BEING THREE YEARS.

12 (III) THIS SUBSECTION (1)(d) IS REPEALED, EFFECTIVE DECEMBER  
13 1, 2030.

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

18 (II) EACH MEMBER OF THE BOARD SHALL RECEIVE THE  
19 COMPENSATION PROVIDED FOR IN SECTION 12-20-103 (6).

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

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

26 (V) THE BOARD SHALL MEET AT LEAST ONCE EVERY THREE  
27 MONTHS, OR MORE FREQUENTLY AS DETERMINED NECESSARY BY THE

1 CHAIR.

2 (2) THE CHAIR IS AN OFFICIAL REPRESENTATIVE OF THE BOARD  
3 AND IS RESPONSIBLE FOR THE DAILY ACTIVITIES OF THE BOARD AND ITS  
4 STAFF.

5 **12-223-106. Powers and duties of the board - rules.** (1) IN  
6 ADDITION TO THE OTHER POWERS AND DUTIES OF THE BOARD AS SET  
7 FORTH IN THIS ARTICLE 223 AND ARTICLES 20 AND 30 OF THIS TITLE 12,  
8 THE BOARD HAS THE FOLLOWING POWERS AND DUTIES:

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

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

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

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

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

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

25 (II) TO ESTABLISH AND COLLECT FEES AND MAKE EXPENDITURES  
26 AS REQUIRED BY THIS ARTICLE 223;

27 (g) TO ADMINISTER CONTINUING EDUCATION REQUIREMENTS FOR

1 THE RENEWAL OF A LICENSE, AS SET FORTH IN SECTION 12-223-114;

2 (h) TO RECEIVE AND PROCESS COMPLAINTS AND INVESTIGATE  
3 ALLEGED VIOLATIONS OF THIS ARTICLE 223;

4 (i) TO CONDUCT ADMINISTRATIVE HEARINGS IN ACCORDANCE WITH  
5 SECTION 12-20-403 IN ALL MATTERS RELATING TO THE EXERCISE AND  
6 PERFORMANCE OF THE POWERS AND DUTIES VESTED IN THE BOARD;

7 (j) TO OBTAIN A SET OF FINGERPRINTS FROM AN APPLICANT FOR  
8 INITIAL LICENSURE PURSUANT TO SECTION 12-223-107 (2) OR 12-223-108  
9 (3);

10 (k) TO SEEK AN INJUNCTION IN ACCORDANCE WITH SECTION  
11 12-20-406 TO ENJOIN AN ACT OR PRACTICE THAT CONSTITUTES A  
12 VIOLATION OF THIS ARTICLE 223;

13 (l) TO PROVIDE FOR EXAMINATION OR WAIVER OF EXAMINATION  
14 FOR APPLICANTS PURSUANT TO SECTION 12-223-107 (1)(a)(III) OR  
15 12-223-108 (1)(c)(I) OR (5);

16 (m) TO IMPOSE PENALTIES IN ACCORDANCE WITH THIS ARTICLE 223  
17 AND WITH SECTIONS 12-20-404 AND 12-20-407; AND

18 (n) TO ADOPT A SEAL OR OTHER METHOD TO AUTHENTICATE  
19 DOCUMENTS.

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

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

1       COMPETENT, AS DETERMINED BY THE BOARD, TO SAFELY ENGAGE IN THE  
2       PRACTICES OF DIETETICS AND NUTRITION, SUBMIT THE FEES AS REQUIRED  
3       BY THE BOARD, SUBMIT FINGERPRINTS PURSUANT TO SUBSECTION (2) OF  
4       THIS SECTION, AND SUBMIT PROOF OF ONE OF THE FOLLOWING:

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

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

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

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

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

1 SECTION UNLESS THE BOARD, FOR EXTRAORDINARY CIRCUMSTANCES,  
2 GRANTS AN EXTENSION FOR A LIMITED TIME.

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

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

15 (2) (a) AN APPLICANT FOR LICENSURE AS A DIETITIAN PURSUANT  
16 TO THIS ARTICLE 223 SHALL SUBMIT TO A FINGERPRINT-BASED CRIMINAL  
17 HISTORY RECORD CHECK. THE APPLICANT MUST PAY THE COSTS  
18 ASSOCIATED WITH THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD  
19 CHECK.

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



1 INVESTIGATION FOR THE PURPOSE OF CONDUCTING A FINGERPRINT-BASED  
2 CRIMINAL HISTORY RECORD CHECK.

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

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

18 (e) THE COLORADO BUREAU OF INVESTIGATION SHALL RETURN THE  
19 RESULTS OF ITS CRIMINAL HISTORY RECORD CHECK TO THE BOARD, AND  
20 THE BOARD IS AUTHORIZED TO RECEIVE THE RESULTS OF THE FEDERAL  
21 BUREAU OF INVESTIGATION'S CRIMINAL HISTORY RECORD CHECK. THE  
22 BOARD SHALL USE THE INFORMATION RESULTING FROM THE CRIMINAL  
23 HISTORY RECORD CHECKS TO INVESTIGATE AND DETERMINE WHETHER AN  
24 APPLICANT IS QUALIFIED TO HOLD A LICENSE PURSUANT TO THIS ARTICLE  
25 223.

26 (f) WHEN THE RESULTS OF A FINGERPRINT-BASED CRIMINAL  
27 HISTORY RECORD CHECK OF AN APPLICANT PERFORMED PURSUANT TO THIS

1 SECTION REVEAL A RECORD OF ARREST WITHOUT A DISPOSITION, THE  
2 BOARD SHALL REQUIRE THE APPLICANT TO SUBMIT TO A NAME-BASED  
3 JUDICIAL RECORD CHECK, AS DEFINED IN SECTION 22-2-119.3 (6)(d).

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

8 **12-223-108. Licensure of nutritionists - qualifications -**  
9 **application - transitional license - rules - repeal.** (1) AN APPLICANT

10 FOR A LICENSE AS A NUTRITIONIST SHALL SUBMIT A COMPLETED  
11 APPLICATION AS REQUIRED BY THE BOARD DEMONSTRATING THE  
12 APPLICANT IS CAPABLE AND PROFESSIONALLY COMPETENT, AS  
13 DETERMINED BY THE BOARD, TO SAFELY ENGAGE IN THE PRACTICE OF  
14 NUTRITION, SUBMIT THE FEES AS REQUIRED BY THE BOARD, SUBMIT  
15 FINGERPRINTS PURSUANT TO SUBSECTION (3) OF THIS SECTION, AND  
16 SUBMIT PROOF OF COMPLETION OF ALL THE FOLLOWING EDUCATIONAL  
17 REQUIREMENTS, SUPERVISED PRACTICE EXPERIENCES, AND EXAMINATION  
18 REQUIREMENTS:

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

1 BY THE UNITED STATES DEPARTMENT OF EDUCATION WITH A MAJOR IN:

2 (I) HUMAN NUTRITION;

3 (II) FOODS AND NUTRITION;

4 (III) COMMUNITY NUTRITION;

5 (IV) PUBLIC HEALTH NUTRITION;

6 (V) NUTRITION EDUCATION;

7 (VI) NUTRITION;

8 (VII) NUTRITION SCIENCE;

9 (VIII) CLINICAL NUTRITION;

10 (IX) APPLIED CLINICAL NUTRITION;

11 (X) NUTRITION COUNSELING;

12 (XI) NUTRITION AND FUNCTIONAL MEDICINE;

13 (XII) NUTRITIONAL BIOCHEMISTRY;

14 (XIII) NUTRITION AND INTEGRATIVE HEALTH; OR

15 (XIV) A COMPARABLY TITLED MAJOR;

16 (b) SATISFACTORY COMPLETION OF A PLANNED, DOCUMENTED,

17 AND CONTINUOUS SUPERVISED PRACTICE EXPERIENCE THAT

18 DEMONSTRATES COMPETENCE IN PROVIDING NUTRITION CARE SERVICES

19 AND MEDICAL NUTRITION THERAPY THAT IS APPROVED BY THE BOARD AND

20 MEETS THE FOLLOWING REQUIREMENTS REGARDING SUPERVISED PRACTICE

21 EXPERIENCE:

22 (I) COMPLETION WITHIN FIVE YEARS AFTER COMPLETING THE

23 REQUIREMENTS DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, UNLESS

24 THE BOARD, FOR EXTRAORDINARY CIRCUMSTANCES, GRANTS AN

25 EXTENSION FOR A LIMITED TIME;

26 (II) COMPLETION OF AT LEAST ONE THOUSAND HOURS

27 CUMULATIVELY IN THE FOLLOWING PRACTICE AREAS, WITH A MINIMUM OF

1 TWO HUNDRED HOURS COMPLETED IN EACH PRACTICE AREA:

2 (A) NUTRITION ASSESSMENT;

3 (B) NUTRITION INTERVENTION; AND

4 (C) NUTRITION MONITORING AND EVALUATION;

5 (III) THE BOARD DETERMINES THAT THE SUPERVISED PRACTICE  
6 EXPERIENCE HAS PREPARED THE APPLICANT TO PROVIDE NUTRITION CARE  
7 SERVICES FOR VARIOUS POPULATIONS OF DIVERSE CULTURES, OF GENDERS,  
8 AND ACROSS THE LIFE CYCLE AND TO BE ABLE TO COMPETENTLY  
9 FORMULATE ACTIONABLE MEDICAL NUTRITION THERAPIES AND  
10 INTERVENTIONS, EDUCATION, COUNSELING, AND ONGOING CARE FOR THE  
11 PREVENTION, MODULATION, AND MANAGEMENT OF A RANGE OF CHRONIC  
12 MEDICAL CONDITIONS; AND

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

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

17 (I) PASSAGE OF THE CERTIFIED NUTRITION SPECIALIST  
18 EXAMINATION ADMINISTERED BY THE BOARD FOR CERTIFICATION OF  
19 NUTRITION SPECIALISTS, OR ITS SUCCESSOR ORGANIZATION, OR AN  
20 EQUIVALENT EXAMINATION ON ALL ASPECTS OF THE PRACTICE OF  
21 NUTRITION THAT HAS BEEN REVIEWED UNDER A PROGRAM THAT REQUIRES  
22 A MASTER'S DEGREE OR HIGHER, IS ACCREDITED BY THE NATIONAL  
23 COMMISSION FOR CERTIFYING AGENCIES OR ITS SUCCESSOR  
24 ORGANIZATION, AND IS APPROVED BY THE BOARD. IF PASSAGE OF THE  
25 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

1 MEETING THE CONTINUING EDUCATION CRITERIA OF THE BOARD PER EACH  
2 FIVE-YEAR PERIOD POST-EXAMINATION.

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

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

12 (a) FIFTEEN SEMESTER HOURS OF CLINICAL OR LIFE SCIENCES, SUCH  
13 AS COURSES IN CHEMISTRY, ORGANIC CHEMISTRY, BIOLOGY, MOLECULAR  
14 BIOLOGY, BIOTECHNOLOGY, BOTANY, GENETICS, GENOMICS,  
15 NEUROSCIENCE, EXPERIMENTAL SCIENCE, IMMUNOTHERAPY, PATHOLOGY,  
16 PHARMACOLOGY, TOXICOLOGY, RESEARCH METHODS, APPLIED STATISTICS,  
17 BIostatISTICS, EPIDEMIOLOGY, ENERGY PRODUCTION, MOLECULAR  
18 PATHWAYS, HORMONE AND TRANSMITTER REGULATIONS AND IMBALANCE,  
19 AND PATHOPHYSIOLOGIC BASIS OF DISEASE. THREE SEMESTER HOURS  
20 MUST BE IN HUMAN ANATOMY AND PHYSIOLOGY OR THE EQUIVALENT.

21 (b) FIFTEEN SEMESTER HOURS OF NUTRITION AND METABOLISM,  
22 SUCH AS COURSES IN NUTRITION ASSESSMENT, DEVELOPMENTAL  
23 NUTRITION, NUTRITIONAL ASPECTS OF DISEASE, HUMAN NUTRITION,  
24 MACRONUTRIENTS, MICRONUTRIENTS, VITAMINS AND MINERALS,  
25 FUNCTIONAL MEDICINE NUTRITION, MOLECULAR METABOLISM, CLINICAL  
26 NUTRITION, MEDICAL NUTRITION THERAPY, NUTRITIONAL BIOCHEMISTRY,  
27 NUTRITION AND DIGESTIVE HEALTH, AND PUBLIC HEALTH NUTRITION. AT

1 LEAST SIX SEMESTER HOURS MUST BE IN BIOCHEMISTRY.

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

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

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

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

1 BUREAU OF INVESTIGATION, APPLICANT, BOARD, AND ENTITY TAKING  
2 FINGERPRINTS SHALL COMPLY WITH THE FEDERAL BUREAU OF  
3 INVESTIGATION'S REQUIREMENTS TO CONDUCT A CRIMINAL HISTORY  
4 RECORD CHECK.

5 (e) THE COLORADO BUREAU OF INVESTIGATION SHALL RETURN THE  
6 RESULTS OF ITS CRIMINAL HISTORY RECORD CHECK TO THE BOARD, AND  
7 THE BOARD IS AUTHORIZED TO RECEIVE THE RESULTS OF THE FEDERAL  
8 BUREAU OF INVESTIGATION'S CRIMINAL HISTORY RECORD CHECK. THE  
9 BOARD SHALL USE THE INFORMATION RESULTING FROM THE CRIMINAL  
10 HISTORY RECORD CHECKS TO INVESTIGATE AND DETERMINE WHETHER AN  
11 APPLICANT IS QUALIFIED TO HOLD A LICENSE PURSUANT TO THIS ARTICLE  
12 223.

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

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

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

26 (I) RECEIPT OF A BACCALAUREATE OR HIGHER ACADEMIC DEGREE  
27 FROM A UNITED STATES REGIONALLY ACCREDITED INSTITUTION OF

1 HIGHER EDUCATION RECOGNIZED BY THE COUNCIL FOR HIGHER  
2 EDUCATION ACCREDITATION, OR SUCCESSOR ORGANIZATION, WITH AT  
3 LEAST THIRTY CREDIT HOURS OR A MAJOR COURSE OF STUDY IN:

- 4 (A) HUMAN NUTRITION;
- 5 (B) FOODS AND NUTRITION;
- 6 (C) FOOD SYSTEMS MANAGEMENT;
- 7 (D) NUTRITIONAL SCIENCE;
- 8 (E) NUTRITIONAL EDUCATION;
- 9 (F) COMMUNITY NUTRITION;
- 10 (G) PUBLIC HEALTH NUTRITION;
- 11 (H) NUTRITION EDUCATION;
- 12 (I) NUTRITION;
- 13 (J) NUTRITION SCIENCE;
- 14 (K) CLINICAL NUTRITION;
- 15 (L) APPLIED CLINICAL NUTRITION;
- 16 (M) NUTRITION COUNSELING;
- 17 (N) NUTRITION AND FUNCTIONAL MEDICINE;
- 18 (O) NUTRITIONAL BIOCHEMISTRY;
- 19 (P) NUTRITION AND INTEGRATIVE HEALTH; OR
- 20 (Q) AN EQUIVALENT COURSE OF STUDY LEADING TO COMPETENCE  
21 IN MEDICAL NUTRITION THERAPY;
- 22 (II) EMPLOYMENT, INCLUDING SELF-EMPLOYMENT, AT LEAST ON  
23 A HALF-TIME BASIS, TO PROVIDE NUTRITION CARE SERVICES FOR THE  
24 TREATMENT OR MANAGEMENT OF A DIAGNOSED DISEASE OR MEDICAL  
25 CONDITION FOR THREE OF THE FIVE YEARS IMMEDIATELY PRECEDING  
26 SEPTEMBER 1, 2026;
- 27 (III) PROVISION OF MEDICAL NUTRITION THERAPY TO RESIDENTS



1 OF COLORADO WITHOUT SUPERVISION FOR AT LEAST SIX MONTHS  
2 IMMEDIATELY PRECEDING SEPTEMBER 1, 2026; AND

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

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

6 **12-223-109. Disciplinary action - grounds for discipline.**

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

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

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

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

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

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

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

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

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

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

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

20 (5) THE BOARD SHALL DETERMINE THE FEE FOR ISSUANCE OF A  
21 PROVISIONAL LICENSE IN THE MANNER AUTHORIZED BY SECTION  
22 12-20-105.

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

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

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

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

17 (b) AN INDIVIDUAL SHALL NOT DESIGNATE THEMSELV OR HOLD  
18 THEMSELV OUT AS A NUTRITIONIST OR USE OR ASSUME THE TITLE  
19 "NUTRITIONIST" UNLESS THE INDIVIDUAL IS LICENSED UNDER THIS ARTICLE  
20 223.

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

26 **12-223-112. Qualified supervisors - duties.** (1) (a) TO QUALIFY  
27 AS A QUALIFIED SUPERVISOR FOR PURPOSES OF THIS ARTICLE 223, AN

1 INDIVIDUAL MUST MEET THE FOLLOWING REQUIREMENTS:

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

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

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

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

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

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

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

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

17 (e) A QUALIFIED SUPERVISOR SHALL BE PHYSICALLY ON SITE AND  
18 PRESENT WHERE THE SUPERVISED INDIVIDUAL IS PROVIDING NUTRITION  
19 CARE SERVICES OR BE IMMEDIATELY AND CONTINUOUSLY AVAILABLE TO  
20 THE SUPERVISED INDIVIDUAL BY MEANS OF TWO-WAY, REAL-TIME  
21 AUDIOVISUAL TECHNOLOGY THAT ALLOWS FOR DIRECT,  
22 CONTEMPORANEOUS INTERACTION BY SIGHT AND SOUND BETWEEN THE  
23 QUALIFIED SUPERVISOR AND THE SUPERVISED INDIVIDUAL. IF THE  
24 QUALIFIED SUPERVISOR ASSIGNS A NUTRITION CARE SERVICE TO A  
25 SUPERVISED INDIVIDUAL THAT IS TO BE PROVIDED IN A SETTING WHERE  
26 THE QUALIFIED SUPERVISOR IS NOT ROUTINELY PRESENT, THE QUALIFIED  
27 SUPERVISOR SHALL ENSURE THAT THE MEANS AND METHODS OF

1 SUPERVISION ARE ADEQUATE TO ENSURE APPROPRIATE PATIENT CARE,  
2 WHICH MAY INCLUDE SYNCHRONOUS VIDEOCONFERENCING OR ANOTHER  
3 METHOD OF COMMUNICATION AND OVERSIGHT THAT IS APPROPRIATE TO  
4 THE CARE SETTING AND THE EDUCATION AND EXPERIENCE OF THE  
5 SUPERVISED INDIVIDUAL.

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

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

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

20 **12-223-113. Exemptions.** (1) THIS ARTICLE 223 DOES NOT  
21 AFFECT OR PREVENT:

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

1 PROTECTED UNDER SECTION 12-223-111;

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

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

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

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

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

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

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

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

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

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

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

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

19 (II) A PLAN OF CARE THAT IS OVERSEEN BY A HEALTH-CARE  
20 PROFESSIONAL LICENSED IN THIS STATE WHOSE SCOPE OF PRACTICE  
21 OTHERWISE AUTHORIZES THE HEALTH-CARE PROFESSIONAL TO PROVIDE  
22 AND DELEGATE MEDICAL NUTRITION THERAPY, IF THE MEDICAL WEIGHT  
23 CONTROL SERVICES ARE NOT DISCRETIONARY AND DO NOT REQUIRE THE  
24 EXERCISE OF PROFESSIONAL JUDGMENT;

25 (f) AN INDIVIDUAL WHO DOES NOT REPRESENT THEMSELF USING  
26 TITLES PROTECTED UNDER SECTION 12-223-111 FROM ASSISTING WITH THE  
27 PROVISION OF MEDICAL NUTRITION THERAPY IF THE INDIVIDUAL PERFORMS



1 ONLY SUPPORT ACTIVITIES THAT ARE NOT DISCRETIONARY AND THAT DO  
2 NOT REQUIRE THE EXERCISE OF PROFESSIONAL JUDGMENT TO PERFORM,  
3 AND THE INDIVIDUAL IS DIRECTLY SUPERVISED BY ONE OF THE FOLLOWING  
4 LICENSED PRACTITIONERS ACTING WITHIN THE SCOPE OF THE  
5 PRACTITIONER'S LICENSE:

6 (I) A LICENSED DIETITIAN;

7 (II) A LICENSED NUTRITIONIST; OR

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

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

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

25 (I) THE SERVICES DO NOT CONSTITUTE MEDICAL NUTRITION  
26 THERAPY;

27 (II) THE INDIVIDUAL DOES NOT REPRESENT THEMSELF USING

1 TITLES PROTECTED UNDER SECTION 12-223-111; AND

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

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

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

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

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

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

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

26 (2) BY ENGAGING IN TELEHEALTH WITH A PATIENT LOCATED IN  
27 THIS STATE, A LICENSED PRACTITIONER EXEMPTED FROM COLORADO

1 LICENSURE UNDER SUBSECTION (1)(i)(II) OF THIS SECTION CONSENTS TO  
2 THE APPLICABLE COLORADO LAWS, RULES, AND REGULATIONS GOVERNING  
3 THE LICENSED PRACTITIONER'S PROFESSION; THE JURISDICTION OF  
4 COLORADO; AND THE JURISDICTION OF THE APPLICABLE LICENSING BOARD  
5 REGULATING THE LICENSED PRACTITIONER'S PROFESSION, INCLUDING THE  
6 LICENSING BOARD'S COMPLAINT, INVESTIGATION, AND HEARING PROCESS  
7 AND ABILITY TO SEEK INJUNCTIONS AND IMPOSE CIVIL PENALTIES AND  
8 FINES.

9 **12-223-114. License expiration - license renewal - continuing**  
10 **education - rules.** (1) THE BOARD MAY RENEW LICENSES UPON  
11 SATISFACTORY COMPLETION OF THE RENEWAL APPLICATION, PAYMENT OF  
12 THE RENEWAL FEE, AND THE SUCCESSFUL COMPLETION OF CONTINUING  
13 EDUCATION REQUIREMENTS, INCLUDING AT LEAST SEVENTY-FIVE HOURS  
14 OF CONTINUING EDUCATION EVERY FIVE YEARS, AS DETERMINED BY THE  
15 BOARD.

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

18 **12-223-115. Penalties.** (1) AN INDIVIDUAL WHO PRACTICES OR  
19 OFFERS OR ATTEMPTS TO PRACTICE IN VIOLATION OF SECTION 12-223-111  
20 COMMITS A CLASS 2 MISDEMEANOR PURSUANT TO SECTION 12-20-407  
21 (1)(a)(V)(Y).

22 (2) IN ADDITION TO OTHER PENALTIES OR REMEDIES PURSUANT TO,  
23 OR RULES ADOPTED UNDER, THIS ARTICLE 223, THE BOARD MAY IMPOSE AN  
24 ADMINISTRATIVE FINE IN ACCORDANCE WITH SECTION 12-20-404 (1)(c)  
25 AGAINST AN INDIVIDUAL WHO VIOLATES A PROVISION OF THIS ARTICLE  
26 223.

27 (3) IN ADDITION TO OTHER PENALTIES OR REMEDIES PURSUANT TO,

1 OR RULES ADOPTED UNDER, THIS ARTICLE 223, THE BOARD MAY ASSESS  
2 AND COLLECT ALL COSTS INCURRED IN CONNECTION WITH DISCIPLINARY  
3 ACTIONS, INCLUDING INVESTIGATOR FEES, STENOGRAPHER FEES,  
4 ATTORNEY FEES, AND HEARING COSTS.

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

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

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

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

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

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

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

27 **12-20-407. Unauthorized practice of profession or occupation**

1    **- penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor  
2    and shall be punished as provided in section 18-1.3-501 if the person:

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

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

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

11           **6-1-724. Unlicensed alternative health-care practitioners -**  
12   **deceptive trade practices - short title - legislative declaration -**  
13   **definitions.** (6) A complementary and alternative health-care practitioner  
14   providing complementary and alternative health-care services under this  
15   section who is not licensed, certified, or registered by the state shall not:

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

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

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

27           **SECTION 5.** In Colorado Revised Statutes, **repeal** 6-1-707

1 (1)(b).

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

4 **24-34-104. General assembly review of regulatory agencies**  
5 **and functions for repeal, continuation, or reestablishment - legislative**  
6 **declaration - repeal.** (36) (a) The following agencies, functions, or both  
7 are scheduled for repeal on September 1, 2035:

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

10 **SECTION 7.** In Colorado Revised Statutes, 24-1-122, **add**  
11 (3)(oo) as follows:

12 **24-1-122. Department of regulatory agencies - creation.** (3) The  
13 following boards and agencies in the department of regulatory agencies are  
14 allocated to the division of professions and occupations and are **type 1**  
15 entities, as defined in section 24-1-105:

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

18 **SECTION 8. 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 to  
22 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.

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