BOARDS AND COMMISSIONS
Board of Licensure And Certification For Dietitians And Nutritionists
(Amended After Comments)

201 KAR 33:020. Renewals, late renewal, revocation, inactive status, and reinstatement.

RELATES TO: KRS 310.041
STATUTORY AUTHORITY: KRS 310.041, 310.050, 310.095
CERTIFICATION STATEMENT:
NECESSITY, FUNCTION, AND CONFORMITY: KRS 310.050(1) requires the board to promulgate administrative regulations establishing procedures for annual renewal of licenses and certificates. KRS 310.095 requires applicants seeking an initial license to engage in a profession authorized by the board to obtain a national and state criminal background investigation by means of a fingerprint check by the Kentucky State Police and the Federal Bureau of Investigation. This administrative regulation establishes procedures for annual renewal, late renewal, revocation, inactive status and reinstatement of licenses and certificates.

Section 1. ~~[Regular]~~ Renewal.
(1) A credential shall be renewed on or before October 31 of each year.
(2) An initial credential issued within ninety (90) days **before ~~[of]~~** October 31 shall be renewed on or before October 31 of the following year. ~~[A licensed dietitian or certified nutritionist shall annually, before November 1,]~~
(3) To apply for renewal, a credential holder shall:
(a) Submit ~~[submit]~~ a completed Renewal Application, DPL-DN-02; and
(b) Pay ~~[pay]~~ to the board the renewal fee established by 201 KAR 33:010, Section 2, for the renewal of the license or certificate.
~~[(2)] [Except as provided under Section 2 of this administrative regulation, if a license or certificate is not renewed before November 1 of each year, it shall expire.]~~
(c) ~~[(3)]~~ Document compliance ~~[Compliance]~~ with continuing education requirements established~~[shall be documented as provided]~~ by 201 KAR 33:030.
~~[(3)] [Compliance with continuing education requirements shall be documented as provided by 201 KAR 33:030.]~~

Section 2. Grace Period and Late Renewal.~~[and the Grace Period.]~~
(1) A sixty (60) day grace period shall be allowed beginning November 1, during which a licensee or certificate holder may renew his or her license or certificate upon payment of the renewal fee plus the late renewal fee established by 201 KAR 33:010, Section 2.
~~[(2)]~~
~~[(a)]~~ A licensee or certificate holder may continue to practice during the sixty (60) day grace period.
~~[(b)] [Upon request of the employer, a licensee or certificate holder practicing in accordance with paragraph (a) of this subsection shall present evidence of a valid pre-existing license or certificate.]~~
(2) ~~[(3)]~~ A person requesting renewal ~~[of a certification or licensure]~~during the sixty (60) day grace period shall comply with the continuing education requirements as required by KRS 310.050(3) and as specified by 201 KAR 33:030.

Section 3. Automatic Revocation. Failure to renew during the grace period shall result in automatic revocation of the license or certification~~[Upon revocation]~~ as set forth by KRS 310.050(4), and a licensee or certificate holder~~[,]~~ shall no longer be eligible to practice in the Commonwealth.

Section 4. Renewal of Inactive Status. A credential holder who has elected to hold the credential in an inactive status shall annually renew the inactive status during the renewal period and pay the fee set forth in 201 KAR 33:010. Section 3(1).

Section 5. [Licensure and Certification] Reinstatement. After the sixty (60) day grace period, a license or certificate that was[, which has been] automatically revoked due to failure to renew[,] shall be reinstated if the licensee or certificate holder has:

(1) Submitted a complete Reinstatement Application, DPL-DN-03;

(2) Paid the renewal fee plus a reinstatement fee as set forth by 201 KAR 33:010; and

(3) Documented that he or she has complied with the continuing education requirements established by 201 KAR 33:030.

(4) For an application for reinstatement to practice as a dietitian or a dual credential, the results of a national and state criminal background investigation by means of a fingerprint check performed within the last ninety (90) days by the Department of Kentucky State Police (KSP) and the Federal Bureau of Investigation (FBI) shall **be** submitted directly to the board. The applicant shall pay any required fee to the KSP and FBI. Any cases officially expunged shall not have to be disclosed by the applicant and shall not be considered by the board as a conviction.

(5) Any person who fails to apply for reinstatement within three (3) years of termination or revocation of the credential shall apply for a new license or certification and shall meet the current licensure or certification requirements.

Section 6. [Section 5.] Address and Contact Information Changes.

[(1)] A credential[licensee or certificate] holder shall submit any change in the credential holder's name,[a current] address, phone number or email address to the board [office by letter] within thirty (30) days of any such[an address] change.

[(2)] [The letter shall include the licensee's or certificate holder's name, new address, phone number, and license or certificate number. (3) Changes to other contact information such as the licensee's or certificate holder's name, email address, or phone number shall require the licensee or certificate holder to submit the current contact information to the board office by letter within thirty (30) days of the changed contact information. The letter shall include the updated contact information and the license or certificate number.]

Section 7. [Section 6.] Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Renewal Application", DPL-DN-02, **November[July]** 2026,[November 2015]; and

(b) "Reinstatement Application", DPL-DN-03, July 2026,[November 2015].

(2)

(a) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Licensure and Certification for Dietitians and Nutritionists, 500 Mero Street, 2 SC 32[911 Leawood Drive], Frankfort, Kentucky 40601, Monday through Friday, 8:00 [8] a.m. to 4:30[5] p.m. or

(b) This material may also be obtained at the Board of Licensure and Certification for Dietitians and Nutritionists at https://bdn.ky.gov.

COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

201 KAR 33:020
ERIN ELIASSEN, Chair

APPROVED BY AGENCY: November 10, 2026
FILED WITH LRC: November 12, 2026 at 2:00 p.m.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Sara Boswell Janes, Phone Number: (502) 782-2709 (office), Email: sara.janes@ky.gov

Subject Headings:Dietitians and Nutritionists, Boards and Commissions, Licensing, Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does:
The regulation establishes the renewal, late renewal, revocation, inactive status and reinstatement process for current and former dietitians and nutritionists.

(b) The necessity of this administrative regulation:
The necessity of this regulation is to establish the renewal, late renewal, revocation, inactive status, and reinstatement process for current and former dietitians and nutritionists application process and requirements to be licensed or certified by the board.

(c) How this administrative regulation conforms to the content of the authorizing statutes:
The regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations regarding renewal and the continuing education requirement for a credential holder.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:
This regulation will assist credential holders of the requirements related to renewal, reinstatement, inactive status and reinstatement of credentials by the board.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:
The amendment after comments clarifies that an initial credential issued within ninety days "before" October 31 must be renewed on or before October 31 of the following year; inserts a missing word, "be" in Section 6(4); and, updates the revision date on the DPL-DN-02, Renewal Application, which will now include instructions for military members in compliance with the Servicemembers Civil Relief Act.

(b) The necessity of the amendment to this administrative regulation:
The amendment is necessary to clarify the Board’s intent relative to the first annual renewal date for new applicants, to correct grammar, and to ensure servicemembers have the correct instructions for renewals.

(c) How the amendment conforms to the content of the authorizing statutes:
KRS 310.041(1) requires the Kentucky Board of Licensure and Certification for Dietitians and Nutritionists to promulgate administrative regulations to regulate the issuance of licenses and certificates under KRS 310.021 and KRS 310.031.

(d) How the amendment will assist in the effective administration of the statutes:
This regulation assists in the effective administration of KRS Chapter 310 by carrying out the legislative mandate for the board to establish regulations for the issuance of licenses and certifications to practice dietetics and nutrition.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?Yes. KRS 310.095, Created 2026 Ky. Acts Ch. 33, sec. 3, effective July 15, 2026.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This regulation will affect the 2436 active and 76 inactive licensees in some capacity, and will also affect new applicants for licensure.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

Applicants for reinstatement will have to provide a criminal background investigation performed by the KSP and FBI within the last sixty (60) days of the application. The applicant must pay any required fee and have the investigation sent directly to the board. Also, applicants whose credential has been expired for more than three (3) years must apply for a new credential and meet current standards.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

There will be a cost for renewal, late renewal, inactive status renewal and reinstatement, however, those costs have not increased. However, to obtain a criminal background check, which the board understands the fees to be as follows: $20.00 for the KSP; $18.00 for the FBI, and fingerprinting services to complete the request of $10.00 for some local law enforcement agencies who provide the service, or $20.00 for a private vendor like IdentiGO. The total cost is anticipated to be between $48.00 and $58.00.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

Kentucky will be in compliance with the requirements of KRS 310.095 and the Dietitian Licensure Compact, thus allowing Kentucky to advance towards its participation in the Compact allowing Kentucky credential holders to obtain the privilege to practice in Member States and give Member State credential holders the ability to obtain the privilege to practice in Kentucky. This will provide Kentucky citizens in need of professional counseling with a larger pool of service providers, which increases accessibility to care in rural areas, and thus promotes public safety. Also, the entities will benefit by the three (3) year limit on reinstatement after expiration of the credential since the statute requirements to pay all renewal fees since the last renewal can lead to large fees to reinstate.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

No costs are anticipated by the administrative body to implement these changes.

(b) On a continuing basis:

No new costs are anticipated on a continuing basis.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

The board’s operations are funded by fees paid by credential holders and applicants.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

No increase in fees or funding will be necessary to implement this administrative regulation.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This administrative regulation does not establish fees or directly or indirectly increase any fees.

(10) TIERING: Is tiering applied?

Tiering was not applied as the changes apply to all equally.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 310.041(1), (2), (6) and 310.050.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

Yes, Amended 2022 Ky. Acts Ch. 79, sec. 1, effective July 14, 2022. -- Amended 2008 Ky. Acts Ch. 51, sec. 2, effective July 15, 2008. -- Amended 1994 Ky. Acts Ch. 319, sec. 8, effective July 15, 1994. -- Created 1988 Ky. Acts Ch. 246, sec. 5, effective July 15, 1988. – Created 2026 Ky. Acts Ch. 33, sec. 3, effective July 15, 2026.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Kentucky Board of Licensure and Certification for Dietitians and Nutritionists and the Department of Kentucky State Police.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:There are no expenditures anticipated in the first year.

For subsequent years:There are no expenditures anticipated in subsequent years.

2. Revenues:

For the first year:This administrative regulation will generate revenue for the Kentucky State Police in the first year and based on the average number of anticipated applicants and the projected fee of $20, revenue would be less than $10,000. 3. For subsequent years: This administrative regulation will generate revenue for the Kentucky State Police in subsequent years and based on the average number of anticipated applicants and the projected fee of $20, revenue would be less than $10,000.

For subsequent years:Unknown.

3. Cost Savings:

For the first year:Unknown.

For subsequent years:For the first year: This administrative regulation may generate revenue for local police departments in subsequent years. We are unable to estimate the anticipated revenue in subsequent years.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

It is possible it will affect local police departments.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:For the first year: This administrative regulation may generate revenue for local police departments in the first year. We are unable to estimate the anticipated revenue in the first year.

For subsequent years:Unknown (5)

2. Revenues:

For the first year:Unknown.

For subsequent years:Unknown.

3. Cost Savings:

For the first year:Unknown.

For subsequent years:This administrative regulation may generate revenue for the Federal Bureau of Investigation in subsequent years and based on the average number of anticipated applicants and the projected fee of $18, revenue would be less than $10,000.

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):
The Federal Bureau of Investigation.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:Unknown

For subsequent years:Unknown

2. Revenues:

For the first year:This administrative regulation may generate revenue for the Federal Bureau of Investigation in the first year and based on the average number of anticipated applicants and the projected fee of $18, revenue would be less than $10,000.

For subsequent years:This administrative regulation may generate revenue for the Federal Bureau of Investigation in subsequent years and based on the average number of anticipated applicants and the projected fee of $18, revenue would be less than $10,000.

3. Cost Savings:

For the first year:Unknown

For subsequent years:Unknown

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:
The anticipated revenue for the first year and subsequent years, based on the average number of anticipated applicants with those fees, would be less than $10,000.

(b) Methodology and resources used to reach this conclusion:
Methodology and resources used are the fiscal department within the Public Protection Cabinet, Department of Professional Licensing.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):
It is not anticipated that this administrative regulation will have an overall negative or adverse major economic impact to the entities identified.

(b) The methodology and resources used to reach this conclusion:

Methodology and resources used are the fiscal department within the Public Protection Cabinet, Department of Professional Licensing.