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

201 KAR 33:081. Scope of practice.

RELATES TO: KRS 310.005, 310.021, 310.031, 310.041
STATUTORY AUTHORITY: KRS 310.041
CERTIFICATION STATEMENT:
NECESSITY, FUNCTION, AND CONFORMITY: KRS 310.041 requires the board to promulgate administrative regulations to implement KRS 310.005, 310.021, 310.031, 310.040, 310.041, 310.042, 310.050, 310.070, and 310.990. This administrative regulation establishes the scope of practice for a licensed dietitian or certified nutritionist.

Section 1. Scope of Practice. A licensed dietitian shall practice dietetics or nutrition consistent with the skills and procedures in the **Academy of Nutrition and Dietetics':** ~~**[Commission on Dietetic Registration's:]**~~ Revised 2024 Scope and Standards of Practice for the Registered Dietitian Nutritionist. A certified nutritionist shall practice nutrition consistent with the nutritionist's level of training and competence in the practice of nutrition.

Section 2. Incorporation by Reference.
(1) The following material is incorporated by reference:
(a) **Academy of Nutrition and Dietetics':** ~~**[Commission on Dietetic Registration's:]**~~ Revised 2024 Scope and Standards of Practice for the Registered Dietitian Nutritionist", ~~**[revised 2024,]**~~ is incorporated by reference.
(2) 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, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the board's Web site 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 33:081
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:Dieticians and Nutritionists, Occupations and Professions, Boards and Commissions,

(1) Provide a brief summary of:

(a) What this administrative regulation does:
The regulation establishes the scope of practice for dietitians and nutritionists.

(b) The necessity of this administrative regulation:
This regulation is necessary to establish the scope of practice for dietitians and nutritionists.

(c) How this administrative regulation conforms to the content of the authorizing statutes:
The Board is given the authority to establish administrative regulations for the practice of dietitians and nutritionists in KRS 310.041.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:
This administrative regulation sets forth the scope of practice for dietitians and nutritionists.

(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 will correct the institution that houses the scope of practice and standards for dietitians and nutritionists from the Commission on Dietetics to the Academy of Nutrition and Dietetics'.

(b) The necessity of the amendment to this administrative regulation:
This amendment is necessary to correctly name the appropriate institution responsible for publishing the 2024 Scope of Practice and Standards of Practice for the Registered Dietitian Nutritionists, which contains the scope of practice and standards for Kentucky credential holders.

(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?No.

(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:

Dietitians and nutritionists will have to abide by the scope of practice requirements.

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

There are no new costs imposed by this administrative regulation.

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

Dietitians and nutritionists will be able to practice within the scope of their licenses or certificates.

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

(a) Initially:

There is no new cost.

(b) On a continuing basis:

There is no additional cost.

(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 310.005, 310.041

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

Amended 2008 Ky. Acts ch. 51, sec. 1, effective July 15, 2008. -- Amended 1996 Ky. Acts ch. 318, sec. 250, effective July 15, 1996. -- Created 1994 Ky. Acts ch. 319, sec. 5, effective July 15, 1994.

(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.

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

1. Expenditures:

For the first year:None

For subsequent years:None

2. Revenues:

For the first year:None

For subsequent years:None

3. Cost Savings:

For the first year:None anticipated

For subsequent years:None anticipated

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

None anticipated.

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

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

There are no other regulated entities not otherwise listed.

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

1. **Expenditures:**

   For the first year:N/A

   For subsequent years:N/A

2. **Revenues:**

   For the first year:N/A

   For subsequent years:N/A

3. **Cost Savings:**

   For the first year:N/A

   For subsequent years:N/A

(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:
This administrative regulation will not generate revenue for state or local government.

(b) Methodology and resources used to reach this conclusion:
The board requested its fiscal administrator provide a budget analysis to determine if this administrative regulation will generate revenue for the Board and it determined it will not.

(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):
This administrative regulation will not have an overall negative or adverse major economic impact.

(b) The methodology and resources used to reach this conclusion:
Methodology and resources included a review of the existing budget by the board’s fiscal administrator as well as consideration of the regulation and whether staff time and costs will be increased.