

STATEMENT OF EMERGENCY

201 KAR 33:015E

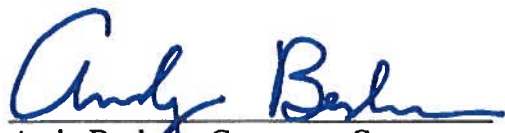
Pursuant to KRS 13A.190(1)(a)2. and KRS 310.095, this emergency amendment to the administrative regulation is being promulgated to comply with the adoption of 2026 HB 36 which requires the Kentucky Board of Licensure and Certification for Dietitians and Nutritionists (the “Board”) to require a national and state criminal background investigation for every applicant seeking an initial license or certification issued by the Board to engage in the practice of dietetics or nutrition, and applicants seeking to reinstate a license or certification. The criminal background investigation shall be by means of a fingerprint check by the Department of Kentucky State Police and Federal Bureau of Investigation. The effective date of KRS 310.095 requires that this emergency amendment be promulgated to ensure there is no delay in processing applications upon the effective date of the Act.

As a result, this emergency amendment to the administrative regulation—and the identical amendment to the ordinary regulation being concomitantly filed—have been amended to align with this statutory change to offset the potential delay in processing licensure applications—whereby the Board would be unable to process applications and collect fees in accordance with the terms of the statute—and therefore “[p]revent an imminent loss of federal or state funds” pursuant to KRS 13A.190(1)(a)2. This emergency amended administrative regulation is temporary and will be replaced by an ordinary amended administrative regulation as provided by KRS 13A.190. The ordinary amendment will be filed with this emergency amendment and will be identical.



Erin Eliassen, Board Chair, Kentucky Board of Licensure and Certification for Dietitians and Nutritionists

Dated: July 15, 2026



Andy Beshear, Governor, Commonwealth of Kentucky

Dated: July 15, 2026

1 BOARDS AND COMMISSIONS

2 KENTUCKY BOARD OF LICENSURE AND CERTIFICATION FOR DIETITIANS AND
3 NUTRITIONISTS

4 (Emergency Amendment)

5 201 KAR 33:015E. Application; approved programs.

6 RELATES TO: KRS 310.021, 310.031(1), (2)

7 STATUTORY AUTHORITY: KRS 310.041(1), (2), (6), 310.095

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 310.041 requires the Kentucky Board of
9 Licensure and Certification for Dietitians and Nutritionists to promulgate administrative
10 regulations and to review and approve or reject the qualifications of all applicants for licensure
11 and certification. KRS 310.095 requires applicants seeking an initial license to engage in a
12 profession authorized by the board to obtain a national and state criminal background investigation
13 by the Kentucky State Police and the Federal Bureau of Investigation. This administrative
14 regulation establishes the procedure for submitting an application for licensure, certification, or
15 dual licensure as a nutritionist and as a dietitian; and establishes requirements for programs of
16 study to be approved by the board.

17 Section 1. Application Requirements.

18 (1)

19 (a) For licensure to practice as a dietitian, an "Application for Credential", Form DPL-DN-
20 001, [An Application for Licensure, Certification, or Dual Licensure] shall be submitted [for
21 licensure to practice dietetics] after the requirements established in KRS 310.021 are met.

1 (b)(2) For certification to practice as a nutritionist, an "Application for Credential", Form
2 DPL-DN-001, [An Application for Licensure, Certification, or Dual Licensure] shall be submitted
3 ~~[for certification to practice nutrition]~~ after the requirements established in KRS 310.031 are met.

4 (c)(3) For a dual credential to practice as a dietitian and nutritionist, an "Application for
5 Credential", Form DPL-DN-001, [An Application for Licensure, Certification, or Dual Licensure]
6 shall be submitted ~~[for dual licensure to practice dietetics and nutrition]~~ after the requirements
7 established in KRS 310.021 and 310.031 are met.

8 (2)(4) Each application ~~[Application for Licensure, Certification, or Dual Licensure]~~
9 shall be accompanied by the nonrefundable application fee, established in 201 KAR 33:010.

10 (3)(5) Each application shall be signed by the applicant.

11 (4)(6)(a) Each application to practice as a dietitian~~[dietetics]~~ and each application for a dual
12 credential under KRS 310.021~~[licensure]~~ shall include:

13 (a)(1) A copy of the applicant's current dietitian registration card issued by the
14 Commission on Dietetic Registration; or

15 (b)(2) A letter from the Commission on Dietetic Registration indicating successful
16 completion of the registration examination; or

17 (c) [3-] A registered dietitian Credential Verification Statement from the Commission on
18 Dietetic Registration.

19 ~~[(b) An Academy of Nutrition and Dietetics membership card shall not constitute compliance~~
20 ~~with paragraph (a)1. of this subsection.]~~

21 (5) Each application to practice as a dietitian, including an application for a dual credential,
22 shall include the results of a national and state criminal background investigation performed within

1 the last ninety (90) days by the Department of Kentucky State Police (KSP) and the Federal Bureau
2 of Investigation (FBI) submitted directly to the board. The applicant shall pay any required fee to
3 the KSP and FBI. Any cases officially expunged shall not have to be disclosed by the applicant
4 and shall not be considered by the board as a conviction.

5 (6)[(7)] Each application to practice as a nutritionist~~[nutrition and each application for dual~~
6 ~~licensure]~~ shall include:

7 (a) A[a] certified copy of the applicant's official baccalaureate transcript and master's
8 transcript demonstrating satisfaction of the criteria provided in KRS 310.031(2)(a); and

9 (b) Meet the requirements of an approved program as provided in Section 2 of this
10 administrative regulation; or

11 (c) ~~Meet~~~~[meet]~~ the criteria established in KRS 310.031~~[KRS 310.031(3)]~~.

12 (7)[(8)] If the applicant is or was licensed or certified~~[registered]~~ in another jurisdiction, the
13 applicant shall:

14 (a) List each jurisdiction and license or certification~~[registration]~~ number;

15 (b) Provide a complete licensure or certification disciplinary history; and

16 (c) Provide license verification documentation from each respective jurisdiction that [is]
17 has been created by the respective jurisdiction within the sixty (60) days prior to the submission
18 of the application, which is not a license card or other initial license document, and which
19 includes:

20 1. The applicant's name;

21 2. License or certification number;

22 3. License or certification status;

23 4. License or certification expiration date; and

1 5. Any disciplinary action or conditions on the license or certification.

2 ~~[1. Created by each respective jurisdiction within the sixty (60) days prior to the submission of~~
3 ~~the application; and~~

4 ~~2. Is not a license card, scroll, initial certificate, diploma, or other initial license document.]~~

5 Section 2. Approved Programs.

6 (1) A baccalaureate degree from a college or university approved by the board pursuant to KRS
7 310.021(3) or 310.031(2)(a) shall be a degree program that is listed as accredited by the
8 Accreditation Council for Education in Nutrition and Dietetics.

9 (2) If an applicant's baccalaureate degree is not listed as accredited by the Accreditation Council
10 for Education in Nutrition and Dietetics, then the applicant shall demonstrate at least forty-five
11 (45) semester hours or sixty-eight (68) quarter hours, as evidenced by a certified copy of an
12 academic transcript, of coursework at the baccalaureate or graduate level in addition to the hours
13 required by KRS 310.031(2)(b). The coursework shall include content specific to each of the
14 following areas:

- 15 (a) Communication;
- 16 (b) Counseling;
- 17 (c) Physical and biological sciences;
- 18 (d) Social sciences;
- 19 (e) Research;
- 20 (f) Food composition;
- 21 (g) Nutrient metabolism;
- 22 (h) Food systems management;
- 23 (i) Nutrition therapy;

(j) Lifecycle nutrition; and

(k) Healthcare systems.

(3) The twelve (12) semester hours of graduate credit required by KRS 310.031(2)(b) shall include only didactic hours of graduate credit specifically related to human nutrition. Examples include:

(a) Food sources of nutrients;

(b) Physiological and chemical processes of digestion, absorption, and metabolism;

(c) Nutrient needs throughout the life cycle;

(d) Nutrition assessment processes;

(e) Pathophysiology of disease states;

(f) ~~Medical~~ Nutrition~~[nutrition]~~ therapy;

(g) Nutrient needs in exercise and fitness; and

(h) Nutrition in health and wellness.

(4) The twelve (12) semester hours of graduate credit required by KRS 310.031(2)(b) shall not include practicums, courses that are primarily obtained from work experiences, independent study, thesis, or dissertation credit hours.

Section 3. Incorporation by Reference.

(1) "Application for Credential", Form DPL-DN-01, July 2026~~["Application for Licensure, Certification, or Dual Licensure", January 2022]~~, 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, ~~[2SC32,]~~ 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/>.

201 KAR 33:015E

APPROVED BY AGENCY:

Erin Eliassen

Erin Eliassen, Chair

Board of Licensure and Certification for Dietitians and Nutritionists

Date: July 15, 2026

AFFIDAVIT OF EMERGENCY STATEMENT BY BOARD CHAIR

Comes the Affiant, Erin Eliassen, and after first being duly sworn, states the following:

1. I am Chair of the Kentucky Board of Licensure and Certification for Dietitians and Nutritionists.
2. The 2026 General Assembly enacted HB 36 requiring a criminal background investigation by means of a fingerprint check by the Department of Kentucky State Police and Federal Bureau of Investigation for all initial applicants for licensure or certification, and all applicants for reinstatement, for authorization to engage in the practice of dietetics and nutrition, effective on July 15, 2026.
3. The Board of Licensure and Certification for Dietitians and Nutritionists considered these amendments at its April 28, 2026, regular meeting and authorized the filing of the accompanying emergency amendment to the administrative regulation prior to the effective date of HB 36 to ensure there is no undue delay in processing applications for initial licensure and reinstatement.
4. Based on a finding that an emergency exists in accordance with KRS 13A.190(1)(a)2., and an imminent deadline for the promulgation of amendments to the administrative regulation required by the passage of HB 36, the attached emergency amendment is being filed to ensure there is no undue delay in processing applications for initial licensure and reinstatement for dietitians.

Further the Affiant saith naught.

Erin Eliassen

Affiant