



Dora

Department of Regulatory Agencies

John W. Hickenlooper
Governor

Executive Director's Office
Barbara J. Kelley
Executive Director

August 17, 2011

Members of the Colorado General Assembly
c/o the Office of Legislative Legal Services
State Capitol Building
Denver, Colorado 80203

Dear Members of the General Assembly:

On August 4, 2011, the Office of Policy, Research and Regulatory Reform (OPRRR) received an application from the Colorado Dietetic Association. The sunrise application requests state licensure for Registered Dietitians (RDs).

The Sunrise Act requires DORA to complete a sunrise review within 120 days after the date that DORA receives an application. However, DORA may decline to conduct a sunrise review on a submitted application if the following criteria, which are outlined in section 24-34-104.1(3)(b)(I), Colorado Revised Statutes (C.R.S.), are met:

- The proposed regulatory scheme appears to regulate less than 250 individuals;
- DORA previously conducted an analysis and evaluation of the same profession or occupational group and no new information has been submitted that would cause DORA to alter or modify the recommendation(s) made in its earlier report on the proposed regulation of the professional or occupational group: or
- A majority of states license, certify, or require registration of members of the same professional or occupational group.

According to the sunrise application, there are approximately 1,379 active members in the Colorado Dietetic Association.

As delineated in the sunrise application, 47 states, in varying forms, regulate RDs. The only states that do not regulate RDs are Arizona, Colorado and New Jersey.

1560 Broadway, Suite 1550
Fax 303.894.7885

Denver, CO 80202
www.dora.state.co.us

Phone 303.894.7855
V/TDD 711



August 17, 2011
Members of the Colorado General Assembly
Page 2

Since the vast majority of states regulate RDs, OPRRR recommends that a sunrise review should not be conducted based on the third criterion in section 24-34-104.1(3)(b)(I), C.R.S., which enables DORA to decline to conduct a sunrise review if the majority of states regulate the same profession or occupational group.

The applicant has therefore satisfied the requirements of Colorado's sunrise review process and may seek legislation. The Department's decision to decline to conduct a sunrise review should not, however, be construed as evidence of DORA's support for or opposition to any such proposed legislation.

Sincerely,



Barbara J. Kelley
Executive Director

Cc: Colorado Dietetic Association