



State Nutrition Practice Laws

Disclaimer:

Nothing contained herein should be considered legal or career advice. It is only our interpretation of state policy as it relates to the practice of nutrition. While we make every effort to ensure the accuracy of the information, laws are dynamic and can change frequently. We recommend you consult with a licensed attorney in your state of practice and your state's department and/or division of professional licensure and business regulations.



Nutrition Practice Laws: Overview

Nutrition practice laws can be really confusing, especially when they differ from state to state. We've put together this guide to help you better understand these laws, the different types, and how they impact your ability to practice.

State laws on nutrition are broken up into different types:

- None
- Certification
- Title Protection
- Licensure with a defined scope of practice

None/Certification

States without laws regarding the practice of nutrition are the easiest, of course, but they are few. Some states have a certification law that provides for state recognition and certification of specific individuals who meet a set of defined criteria, such as a private certification, education, etc. This certification does not prevent anyone else from practicing nutrition, but it may protect certain titles, such as "dietitian" or "nutritionist," and abbreviations, such as "RD" or "CD."

Title Protection

Title protection laws are the next level of restriction. While some states do not restrict the practice of nutrition, they do place strict limitations on who may use certain titles. A title protection law may or may not contain a scope of practice, defining the practice of dietetics and nutrition, but that scope will not be defined exclusively to one group. Other states may simply restrict the title, along with abbreviations, etc. Only those who meet certain requirements under the law may receive permission to use those protected titles.

Licensure with a Defined Scope of Practice

Nineteen states require a license to practice nutrition, and along with this license, the law defines a scope of practice - exclusive privileges - reserved only for those who hold a license. This is the most strictest form of the law and with it comes the greater threat to holistic practices.

The main elements of a licensure law with a define scope of practice is that the state **REQUIRES** you to meet very specific education and other criteria in order to be granted a license, which then gives you the exclusive right to practice nutrition. These laws tend to have very narrow exemptions and can be quite broad in their application. The requirements to become licensed, and thus take advantage of the exclusive privileges of licensure, are almost always limited for just dietitians.

For example, the state of Ohio specifically defines what the “Practice of dietetics” means within the law, and then it reserves that exclusively for those with a license: “...no person shall practice, offer to practice, or hold himself forth to practice dietetics unless he has been licensed...”

Exemptions

Most restrictive states contain some standard exemptions within the law. These exemptions generally allow for persons to practice nutrition and dietetics if they are employed by one or more of the following:

- Federal, state, county or municipal agency;
- Military;
- Another political subdivision;
- Elementary or secondary school; or an
- Accredited institution of higher education.

Restrictive states usually make an exemption for those who are licensed in other areas of the law, such as a physician or chiropractor, so long as that person is practicing within the scope of their license. A few states will also allow for the exemption of employees of other licensed professionals, so long as there is proper oversight and documentation.

Some states have explicit religious exemptions for those practicing the tenets of a bona fide religion, however, the religious exemption varies greatly from state to state.

For the sale of food, food materials, and dietary supplements in a retail establishment, an exemption generally exists so long as the salesperson does not hold themselves out to be registered or licensed in any way.

General Health and Wellness

In many states, the law allows for an exemption for providing general health and wellness information and education to individuals and groups. This term is rarely defined and varies from state to state. For example, Illinois law allows an unlicensed person to provide “general nutrition information and encouragement of general healthy eating choices.” North Carolina allows “general nutrition information on food, food materials, and dietary supplements.” In Iowa, this is written as “routine education and advice regarding normal nutritional requirements and sources of nutrients.”

Out of an abundance of caution, we interpret all general health and wellness exemptions to mean the providing to individuals or groups, information, education, or guidance that would apply to everyone, as a whole.

If it can be found in a book, journal, or website, then it can be said to apply to everyone. The key consideration is if the information, education, or guidance is specific to an individual, as that would not be considered “general health and wellness.” For example: You could not create a meal plan that is specific to an individual’s tastes and wants, but you could provide meal plans from a book, journal, or article that will meet the client’s goals.

Cautions

Even if you are practicing in a state with no law, certification, or title protection, you should be aware of certain limitations and pitfalls.



- Diagnosing or treating a disease: Investigators and observers of holistic practice are watching carefully for anything that may give the impression, directly or implicitly, that a holistic practitioner is treating or providing for a specific disease or medical condition. Most states do not allow this, and extra care and disclosure statements should be used when working with clients.



- Display of public notice: California and Rhode Island require the display of certain information in your place of business. See [the website](#) for each of these states under Laws and Policy for more details. These public notices may require client notification and agreement prior to working with a client.



- Individualized care: Probably the most contentious issue in nutrition care is when services become “individualized” to a specific person. Restrictive states with an exclusive scope are always on the look out, and will punish harshly, the providing of individualized services. In these states, it is best to stay within the bounds of general health, wellness, and lifestyle information, as it pertains to everyone. In your practice or marketing materials, avoid anything that may give the impression services are individualized.



- Board certification provides absolutely no additional benefit or qualification for working in a restrictive state.

While the law may vary from state to state, and not every state has broad exemptions, avenues for holistic practice do exist. Please review the [State Law and Policy](#) for more information.



| State | Does your state require a license to provide nutrition services? | | Are holistic and wellness practitioners exempt? | | Can I use the occupational title "Nutritionist"? | | Are licensed medical practitioners exempt? | | Dietary Supplements | | | Exemptions and Pathway to Practice |
|-------------|--|----|---|----|--|----|--|----|---------------------|---------|-----------|--|
| | Yes | No | Yes | No | Yes | No | Yes | No | Sell | Educate | Recommend | |
| Alabama | • | | | | | • | • | | • | • | • | General Health and Wellness |
| Alaska | | • | | | | • | | | • | • | • | Law does not limit |
| Arizona | | • | | | • | | | | | • | • | Law does not limit |
| Arkansas | | • | | | • | | | | | • | • | Law does not limit |
| California | | • | | | • | | | | | • | • | Law does not limit |
| Colorado | | • | | | • | | | | • | • | • | No Law |
| Connecticut | | • | | | • | | | | • | • | • | Law does not limit |
| Delaware | • | | | | | • | • | | • | • | • | General Health and Wellness |
| Florida | • | | • | | | • | • | | • | • | • | Exempt: May only work with clients not presently under the active care of a medical doctor; may not diagnose, treat, or cure diseases. |
| Georgia | • | | | | | • | • | | • | • | | General Health and Wellness |
| Hawaii | | • | | | • | | | | • | • | • | Law does not limit |
| Idaho | • | | • | | • | | • | | • | • | • | Broad exemption so long as you do not engage in disease management |
| Illinois | • | | | | | • | • | | • | • | | General Health and Wellness |
| Indiana | | • | | | • | | | | X | | | Law does not limit |
| Iowa | • | | | | | • | • | | • | • | | General Health and Wellness |
| Kansas | • | | | | | • | • | | • | • | | General Health and Wellness |
| Kentucky | | • | | | | • | | | • | | | Law does not limit |
| Louisiana | • | | • | | | • | • | | • | • | • | Law does not limit |
| Maine | • | | • | • | | • | • | | • | • | • | Law does not limit due to a safe harbor law; may not provide disease management and must notify clients that you are not licensed. |

Each state's law is different and could depend on a practitioners individual circumstance. Please contact the Council of Holistic Health Educators if you would like more information.

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|----------------|--|----|---|----|--|----|--|----|---------------------|---------|-----------|---|
| | Yes | No | Yes | No | Yes | No | Yes | No | Sell | Educate | Recommend | |
| Maryland | • | | | | | • | • | | • | • | | General Health and Wellness |
| Massachusetts | | • | | | • | | | | • | • | • | Law does not limit |
| Michigan | | • | | | • | | | | • | • | • | No Law |
| Minnesota | | • | • | | • | | | | • | • | • | Broad complementary practice law that exempts those who do not provide disease management |
| Mississippi | • | | | | | • | • | | • | • | | General Health and Wellness |
| Missouri | • | | | | | • | • | | • | • | | General Health and Wellness |
| Montana | • | | | | | • | • | | • | • | | General Health and Wellness |
| Nebraska | • | | | | | • | • | | • | • | | General Health and Wellness |
| Nevada | | • | | | • | | | | • | • | • | Law does not limit |
| New Hampshire | | • | | | • | | | | • | • | • | Law does not limit |
| New Jersey | • | | • | | | • | • | | • | • | | Very broad exemption that makes it as if this state does not have a law. |
| New Mexico | • | | • | | | • | | | • | | | Law does not limit. |
| New York | | • | | | • | | | | • | • | • | Law does not limit. |
| North Carolina | • | | • | | | • | • | | • | • | | Broad exemption so long as you do not market, or attempt to diagnose, treat, or cure a disease. |
| North Dakota | • | | | | | • | • | | • | | | General Health and Wellness |
| Ohio | • | | | | | • | • | | • | | | General Health and Wellness - with caution. Most restrictive state. |
| Oklahoma | • | | | | | • | • | | • | | | Law does not limit |
| Oregon | | • | | | • | | | | • | • | • | Law does not limit |
| Pennsylvania | | • | | | • | | • | | • | • | • | Law does not limit |

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|----------------|--|----|---|----|--|----|--|----|---------------------|---------|----------------|---|
| | Yes | No | Yes | No | Yes | No | Yes | No | Sell | Educate | Recom- mend | |
| Rhode Island | • | | | • | | • | • | | • | | | General Health and Wellness |
| South Carolina | | • | | | • | | | | • | • | • | Law does not limit |
| South Dakota | • | | | | | • | • | | • | | | General Health and Wellness |
| Tennessee | • | | | | | • | • | | • | | | General Health and Wellness; if you own or operate a health, weight loss, or fitness business, then you are exempt. |
| Texas | | • | | | | | | | • | • | • | Law does not limit |
| Utah | | • | | | • | | | | • | • | • | Law does not limit |
| Vermont | | • | | | • | | | | • | | | Law does not limit |
| Virginia | | • | | | | • | | | • | • | • | Law does not limit |
| Washington | | • | | | | • | | | • | • | • | Law does not limit |
| West Virginia | | • | | | • | | | | • | • | • | Law does not limit |
| Wisconsin | | • | | | • | | | | • | • | • | Law does not limit |
| Wyoming | • | | | | • | | • | | • | | | General Health and Wellness |

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About Council of Holistic Health Educators

[The Council of Holistic Health Educators](#) is a membership-based 501(c)(4) nonprofit advocacy organization made up of holistic health schools and organizations, practitioners, and supporters. We work to protect the practice of holistic health by defeating harmful legislation and lobby to pass laws that protect and grow our diverse profession's ability to practice and employment opportunities.

The Council of Holistic Health Educators provides its members and their holistic health students and graduates:

- Current nutrition and wellness practice policy regulations in specific states
- Individualized government relations and lobbying services to meet your program's goals
- Educational services, including advocacy and rights to practice seminars



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