

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 12-0436.02 Kristen Forrestal x4217

HOUSE BILL 12-1210

HOUSE SPONSORSHIP

Beezley, Holbert, Becker, Joshi, Kagan, Liston, Miklosi, Szabo

SENATE SPONSORSHIP

Jahn,

House Committees

Economic and Business Development

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE RECOGNITION OF PROFESSIONALS IN GOOD**
102 **STANDING FROM OTHER STATES TO PRACTICE IN COLORADO.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill allows a person with a currently valid license, certificate, or registration in good standing from another state to practice his or her profession in this state for up to one year before the person has to meet the licensing, certification, or registration requirements in Colorado. For the person to be eligible to practice in this state, he or she shall have no

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
February 29, 2012

HOUSE
Amended 2nd Reading
February 28, 2012

other basis for disqualification from practice other than the lack of a license, certificate, or registration and shall apply for a license, certificate, or registration within 30 days after engaging in practice in Colorado.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-102, **add** (8)
3 (f) as follows:

4 **24-34-102. Division of registrations - creation - duties of**
5 **division and department heads - license, registration, or certification**
6 **renewal, reinstatement, and endorsement - definitions.**

7 (8) (f) **Recognition of license, certificate, and registration from other**
8 **states.** (I) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
9 A PERSON WHO HOLDS A CURRENTLY VALID LICENSE, CERTIFICATE, OR
10 REGISTRATION IN GOOD STANDING IN ANOTHER STATE MAY PRACTICE HIS
11 OR HER PROFESSION IN THIS STATE FOR UP TO **NINE MONTHS** BEFORE THE
12 PERSON IS REQUIRED TO MEET THE LICENSING, CERTIFICATION, OR
13 REGISTRATION REQUIREMENTS TO PRACTICE IN THIS STATE IF:

14 (A) OTHER THAN THE PERSON'S LACK OF A LICENSE, CERTIFICATE,
15 OR REGISTRATION IN COLORADO, THERE IS NO BASIS TO DISQUALIFY THE
16 PERSON FROM PRACTICING HIS OR HER PROFESSION;

17 (B) THE PERSON CONSENTS, AS A CONDITION OF PRACTICING IN
18 COLORADO, TO BE SUBJECT TO THE JURISDICTION AND DISCIPLINARY
19 AUTHORITY OF THE APPROPRIATE AGENCY IN COLORADO; AND

20 (C) THE PERSON APPLIES FOR A COLORADO LICENSE, CERTIFICATE,
21 OR REGISTRATION **PRIOR TO** ENGAGING IN PRACTICE IN COLORADO.

22 **(II) A PERSON PRACTICING HIS OR HER PROFESSION PURSUANT TO**
23 **THIS PARAGRAPH (f) SHALL NOT EXCEED THE SCOPE OF PRACTICE**
24 **AUTHORIZED BY THE APPLICABLE PRACTICE ACT OF THIS STATE OR EXCEED**

1 THE SCOPE OF PRACTICE AUTHORIZED IN THE STATE IN WHICH THE LICENSE,
2 CERTIFICATE, OR REGISTRATION WAS ISSUED.

3 (III) IF AN APPLICANT IS DENIED A LICENSE, CERTIFICATE, OR
4 REGISTRATION BY THE DIRECTOR OR THE APPLICABLE BOARD, THE
5 APPLICANT IS NO LONGER AUTHORIZED TO PRACTICE IN COLORADO AS OF
6 THE DATE THE DENIAL IS ISSUED. IF A LICENSE, CERTIFICATE, OR
7 REGISTRATION WOULD BE DENIED BECAUSE AN APPLICANT HAS NOT MET
8 AN EDUCATIONAL OR CONTINUING EDUCATION REQUIREMENT, THE
9 DIRECTOR OR THE BOARD, WHICHEVER IS APPLICABLE, SHALL ALLOW THE
10 APPLICANT UP TO ONE YEAR AFTER THE DATE THE APPLICATION WAS MADE
11 TO MEET THE EDUCATIONAL OR CONTINUING EDUCATIONAL REQUIREMENT.

12 (IV) A PROFESSIONAL PRACTICING UNDER THIS SECTION SHALL
13 DISCLOSE HIS OR HER LICENSE STATUS IN WRITING IN ADVANCE TO ANY
14 CLIENT OR CUSTOMER, INCLUDING AT LEAST ON THE FRONT SIDE OF A
15 BUSINESS CARD AND ON ANY WEB SITE UNDER THE CONTROL OF THE
16 PROFESSIONAL OR THEIR EMPLOYER. THE DISCLOSURE MUST INDICATE THE
17 STATE IN WHICH THEY ARE CURRENTLY LICENSED AND THE STATUS OF
18 THEIR COLORADO LICENSE AS "PENDING".

19 (V) THIS PARAGRAPH (f) DOES NOT PREVENT AN AGENCY FROM
20 ENTERING INTO A RECIPROCITY AGREEMENT WITH THE REGULATING
21 AUTHORITY OF ANOTHER STATE OR JURISDICTION IF OTHERWISE
22 AUTHORIZED BY LAW.

23 (VI) THE PROVISIONS OF THIS SUBSECTION (8) DO NOT APPLY TO
24 PROFESSIONALS WHO DO NOT PERMANENTLY RESIDE, OR INTEND TO
25 PERMANENTLY RESIDE, IN COLORADO. IF AN APPLICANT DOES NOT RESIDE
26 IN COLORADO WITHIN SIXTY DAYS AFTER APPLYING FOR LICENSURE,
27 CERTIFICATION, OR REGISTRATION, THE INDIVIDUAL IS NO LONGER

1 AUTHORIZED TO PRACTICE UNDER THIS SECTION IN COLORADO.

2 (VII) THIS PARAGRAPH (f) DOES NOT APPLY TO AN OPTOMETRIST
3 PRACTICING IN ANOTHER STATE WHOSE INTENT IS TO APPLY FOR A LICENSE
4 PURSUANT TO ARTICLE 40 OF TITLE 12, C.R.S.

5 (VIII) THIS PARAGRAPH (f) DOES NOT APPLY TO A PHYSICIAN OR
6 PHYSICIAN ASSISTANT PRACTICING IN ANOTHER STATE WHOSE INTENT IS
7 TO APPLY FOR A LICENSE PURSUANT TO ARTICLE 36 OF TITLE 12, C.R.S.

8 **SECTION 2. Effective date.** This act takes effect July 1, 2012.

9 **SECTION 3. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.