

First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

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DRAFT

LLS NO. 09-0230.01 Jery Payne

SUNSET BILL

Sunset Process - Senate Health and
Human Services Committee

SHORT TITLE: "Sunset Psychiatric Technicians Licensing"

A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF LICENSING OF PSYCHIATRIC
102 TECHNICIANS BY THE STATE BOARD OF NURSING.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Sunset Process - Senate Health and Human Services Committee. Implements the recommendations of the department of regulatory agencies in its sunset review of the licensing of psychiatric technicians by the state board of nursing as follows:

- *Recommendation 1:* Continues the licensing and regulation of psychiatric technicians by the state board of nursing for 5 years and then allows it to repeal without a sunset review.

- *Recommendation 2:* Repeals the prohibition against nurses delegating the selection of medication to someone not authorized by law to do so.

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

Recommendation 1

SECTION 1. Repeal. 24-34-104 (40) (m), Colorado Revised Statutes, is repealed as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.

(40) The following agencies, functions, or both, shall terminate on July 1, 2009:

(m) ~~The licensing and regulation of psychiatric technicians by the state board of nursing pursuant to article 42 of title 12, C.R.S.;~~

SECTION 2. 12-42-103 (2), Colorado Revised Statutes, is amended to read:

12-42-103. State board of nursing - repeal of article - review of licensing and regulation functions. (2) (a) This article is repealed, effective July 1, 2009 2014.

(b) ~~Prior to such repeal, the licensure and regulation functions of the state board of nursing shall be reviewed as provided in section 24-34-104, C.R.S.~~

Recommendation 2

SECTION 3. 12-38-132 (1), Colorado Revised Statutes, is amended to read:

12-38-132. Delegation of nursing tasks. (1) Any registered nurse, as defined in section 12-38-103 (11), may delegate any task included in the practice of professional nursing, as defined in section

1 12-38-103 (10), subject to the requirements of this section. ~~In no event~~
2 ~~may a registered nurse delegate to another person the authority to select~~
3 ~~medications if such person is not, independent of such delegation,~~
4 ~~authorized by law to select medications.~~

5 **SECTION 4. Effective date.** This act shall take effect July 1,
6 2009.

7 **SECTION 5. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.

