

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

May 5, 2011
Date

Committee on Health and Environment.

After consideration on the merits, the Committee recommends the following:

SB11-187 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 6, line 24, strike "AND" and substitute "OR".
- 2 Page 12, line 1, after "(1)," insert "(3),".
- 3 Page 12, line 10, strike "grievance board," and substitute "grievance
4 board BOARD OF REGISTERED PSYCHOTHERAPISTS,".
- 5 Page 12, after line 15 insert:
6 "(3) ~~"Grievance board" means the state grievance board created~~
7 ~~by section 12-43-702:"~~.
- 8 Page 13, line 20, strike "GRIEVANCE BOARD" and substitute "STATEBOARD
9 OF REGISTERED PSYCHOTHERAPISTS".
- 10 Page 13, line 27, strike "GRIEVANCE BOARD" and substitute "STATEBOARD
11 OF REGISTERED PSYCHOTHERAPISTS".
- 12 Page 15, line 5, strike "Has demonstrated" and substitute "Has
13 demonstrated DEMONSTRATES".
- 14 Page 16, line 12, after "(b)," insert "(1) (d),".
- 15 Page 16, after line 24 insert:

- 1 "(d) Has at least two years of post-master's practice or one year of
2 postdoctoral practice in ~~applied psychotherapy~~ LICENSED PROFESSIONAL
3 COUNSELING under supervision approved by the board; and".
- 4 Page 16, line 25, strike "Has demonstrated" and substitute "Has
5 ~~demonstrated~~ DEMONSTRATES".
- 6 Page 16, line 27, strike "applied psychotherapy" and substitute "~~applied~~
7 ~~psychotherapy~~ LICENSED PROFESSIONAL COUNSELING".
- 8 Page 18, line 27, strike "grievance".
- 9 Page 19, line 1, strike "board" and substitute "~~grievance board~~ STATE
10 BOARD OF REGISTERED PSYCHOTHERAPISTS".
- 11 Page 19, line 3, strike "grievance board" and substitute "~~grievance board~~
12 STATE BOARD OF REGISTERED PSYCHOTHERAPISTS".
- 13 Page 19, line 11, strike "GRIEVANCE BOARD" and substitute "STATE BOARD
14 OF REGISTERED PSYCHOTHERAPISTS".
- 15 Page 19, line 15, strike "grievance board for inclusion" and substitute
16 "~~grievance board for inclusion~~ STATE BOARD OF REGISTERED
17 PSYCHOTHERAPISTS".
- 18 Page 19, line 21, strike "grievance board shall prescribe" and substitute
19 "~~grievance board shall prescribe~~ STATE BOARD OF REGISTERED
20 PSYCHOTHERAPISTS".
- 21 Page 20, line 6, strike "GRIEVANCE BOARD" and substitute "STATE BOARD
22 OF REGISTERED PSYCHOTHERAPISTS".
- 23 Page 20, line 14, strike "grievance board" and substitute "~~grievance board~~
24 STATE BOARD OF REGISTERED PSYCHOTHERAPISTS".
- 25 Page 21, line 10, strike "Has demonstrated" and substitute "Has
26 ~~demonstrated~~ DEMONSTRATES".
- 27 Page 22, line 10, strike "EXPIRES." and substitute "EXPIRES AND IS NOT
28 RENEWABLE UNLESS THE BOARD, IN ITS DISCRETION, GRANTS THE

- 1 CANDIDATE AN EXTENSION."
- 2 Page 22, line 26, after "work" insert "AS PRESCRIBED BY THE BOARD".
- 3 Page 23, line 4, strike "APPROVED" and substitute "REQUIRED".
- 4 Page 27, line 5, strike "**grievance**".
- 5 Page 27, line 6, strike "**board**" and substitute "**state board of registered**
6 **psychotherapists**".
- 7 Page 27, line 14, strike "grievance board ~~data base~~" and substitute
8 "~~grievance board data base~~ STATE BOARD OF REGISTERED
9 PSYCHOTHERAPISTS".
- 10 Page 30, line 23, strike "2012," and substitute "2013,".
- 11 Page 35, line 7, strike "CLINICAL SOCIAL WORKER,".
- 12 Page 36, line 6, strike "grievance board" and substitute "~~grievance board~~
13 BOARD OF REGISTERED PSYCHOTHERAPISTS".
- 14 Page 37, line 6, strike "amended" and substitute "amended, and the said
15 12-43-203 is further amended BY THE ADDITION OF A NEW
16 SUBSECTION,".
- 17 Page 40, after line 12 insert:
- 18 "(12) THE BOARDS SHALL DEVELOP RULES OR POLICIES TO PROVIDE
19 GUIDANCE TO PERSONS LICENSED, REGISTERED, OR CERTIFIED PURSUANT
20 TO THIS ARTICLE TO ASSIST IN DETERMINING WHETHER A RELATIONSHIP
21 WITH A CLIENT OR POTENTIAL CLIENT IS LIKELY TO IMPAIR HIS OR HER
22 PROFESSIONAL JUDGMENT OR INCREASE THE RISK OF CLIENT EXPLOITATION
23 IN VIOLATION OF SECTION 12-43-222 (1) (i).".
- 24 Page 52, line 7, strike "department".
- 25 Page 52, line 8, strike "of regulatory agencies," and substitute
26 "~~department of regulatory agencies~~ DIVISION,".
- 27 Page 52, line 27, strike "DATA".

- 1 Page 53, line 1, strike "BASE" and substitute "DATABASE".
- 2 Page 59, line 1, strike "grievance board" and substitute "~~grievance board~~
3 BOARD OF REGISTERED PSYCHOTHERAPISTS".
- 4 Page 59, line 9, strike "grievance board" and substitute "~~grievance board~~
5 BOARD OF REGISTERED PSYCHOTHERAPISTS".
- 6 Page 65, line 27, strike "**board or the grievance board.**" and substitute
7 "**board.**".
- 8 Page 69, line 8, strike "(3)," and substitute "(2),".
- 9 Page 73, line 17, strike "grievance" and substitute "~~grievance~~".
- 10 Page 73, line 18, after "board" insert "OF REGISTERED
11 PSYCHOTHERAPISTS".
- 12 Page 75, line 16, strike "~~or a bachelor's degree~~" and substitute "or a
13 bachelor's degree".
- 14 Page 75, line 17, strike "~~in social work~~" and substitute "in social work".
- 15 Page 77, line 12, strike "grievance board" and substitute "~~grievance board~~
16 BOARD OF REGISTERED PSYCHOTHERAPISTS".
- 17 Page 78, line 22, strike "~~bachelor's or~~" and substitute "bachelor's or".
- 18 Page 80, line 4, strike "grievance board" and substitute "~~grievance board~~
19 BOARD OF REGISTERED PSYCHOTHERAPISTS".
- 20 Page 84, line 12, strike "grievance board" and substitute "~~grievance board~~
21 BOARD OF REGISTERED PSYCHOTHERAPISTS".
- 22 Page 84, line 14, strike "(2), (3), and (6)," and substitute "(1), (2), (3), (5),
23 (6), and (7),".
- 24 Page 84, line 16, strike "**grievance board**" and substitute "**board of**
25 **registered psychotherapists**".
- 26 Page 84, strike line 17 and substitute "**termination.** (1) There is hereby

1 created the state ~~grievance~~ board OF REGISTERED PSYCHOTHERAPISTS,
2 which shall be under the supervision and control of the division of
3 registrations as provided in section 24-34-102, C.R.S. The ~~grievance~~
4 board shall consist of seven members who are residents of the state of
5 Colorado.

6 (2) ~~Four~~ THREE members of the ~~grievance~~ board OF REGISTERED
7 PSYCHOTHERAPISTS shall be".

8 Page 84, line 24, strike "grievance board shall" and substitute "~~grievance~~
9 ~~board shall~~ STATE BOARD OF REGISTERED PSYCHOTHERAPISTS".

10 Page 84, line 26, strike "GRIEVANCE BOARD" and substitute "STATE BOARD
11 OF REGISTERED PSYCHOTHERAPISTS".

12 Page 84, after line 27 insert:

13 "(5) Members of the ~~grievance board~~ STATE BOARD OF
14 REGISTERED PSYCHOTHERAPISTS appointed under subsection (2) or (3) of
15 this section may serve two full consecutive terms."

16 Page 85, line 3, strike "grievance board" and substitute "~~grievance board~~
17 STATE BOARD OF REGISTERED PSYCHOTHERAPISTS".

18 Page 85, line 5, strike "grievance board" and substitute "~~grievance board~~
19 STATE BOARD OF REGISTERED PSYCHOTHERAPISTS".

20 Page 85, line 16, strike "grievance board" and substitute "~~grievance board~~
21 STATE BOARD OF REGISTERED PSYCHOTHERAPISTS".

22 Page 85, after line 20 insert:

23 "(7) A majority of the ~~grievance board~~ STATE BOARD OF
24 REGISTERED PSYCHOTHERAPISTS shall constitute a quorum for the
25 transaction of all business.

26 **SECTION 58.** 12-43-709, Colorado Revised Statutes, is amended
27 to read:

28 **12-43-709. Expenses of the state board of registered**
29 **psychotherapists.** All reasonable expenses of the ~~grievance~~ STATE board
30 OF REGISTERED PSYCHOTHERAPISTS shall be paid as determined by the
31 director of the division of registrations from the fees collected pursuant
32 to section 12-43-204 as provided by law."

1 Renumber succeeding sections accordingly.

2 Page 89, line 17, strike "HAS DEMONSTRATED" and substitute
3 "DEMONSTRATES".

4 Page 98, after line 8 insert:

5 "SECTION 72. 24-1-122 (3) (II), Colorado Revised Statutes, is
6 amended to read:

7 **24-1-122. Department of regulatory agencies - creation.**

8 (3) The following boards and agencies are transferred by a **type 1**
9 transfer to the department of regulatory agencies and allocated to the
10 division of registrations:

11 (II) State ~~grievance~~ board OF REGISTERED PSYCHOTHERAPISTS,
12 created by part 7 of article 43 of title 12, C.R.S.

13 **SECTION 73.** 24-34-105 (2) (b) (I), Colorado Revised Statutes,
14 is amended to read:

15 **24-34-105. Fee adjustments - division of registrations cash**
16 **fund created - legal defense account.** (2) (b) (I) Based upon the
17 appropriation made and subject to the approval of the executive director
18 of the department of regulatory agencies, each board or commission shall
19 adjust its fees so that the revenue generated from said fees approximates
20 its direct and indirect costs; except that the costs of the state board of
21 psychologist examiners, the state board of marriage and family therapist
22 examiners, the state board of licensed professional counselor examiners,
23 the state board of social work examiners, and the state ~~grievance~~ board OF
24 REGISTERED PSYCHOTHERAPISTS shall be considered collectively in the
25 renewal fee-setting process. Subsequent revenue generated by the fees
26 set by such boards plus revenues generated pursuant to section
27 12-43-702.5, C.R.S., shall be compared to those collective costs to
28 determine recovery of direct and indirect costs. Such fees shall remain in
29 effect for the fiscal year for which the budget request applies. All fees
30 collected by each board and commission, not including any fees retained
31 by contractors as established pursuant to the provisions of section
32 24-34-101 (10), shall be transmitted to the state treasurer, who shall credit
33 the same to the division of registrations cash fund, which fund is hereby
34 created. All moneys credited to the division of registrations cash fund
35 shall be used as provided in this section and shall not be deposited in or
36 transferred to the general fund of this state or any other fund." .

37 Renumber succeeding sections accordingly.

- 1 Page 1, strike line 106 and substitute "EXAMINERS, CONTINUING THE
- 2 STATE GRIEVANCE BOARD, RENAMED AS THE STATE BOARD OF
- 3 REGISTERED PSYCHOTHERAPISTS, CREATING THE".

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