

HB1060\_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT  
Committee on Agriculture, Livestock, & Natural Resources.

HB12-1060 be amended as follows:

1 Amend proposed committee amendment (HB1060\_L.003), page 2, line  
2 6, strike "AGENCIES." and substitute "AGENCIES OR THE DIRECTOR'S  
3 DESIGNEE."

4 Page 3, line 14, before "USE" insert "ADVERTISE OR".

5 Page 3, strike lines 20 through 36 and substitute:

6 "(b) PROMULGATE RULES NECESSARY FOR THE ADMINISTRATION  
7 AND ENFORCEMENT OF THIS ARTICLE;

8 (c) ENFORCE CONTINUING PROFESSIONAL COMPETENCY  
9 REQUIREMENTS FOR THE PURPOSES OF LICENSURE, AND FOR THIS PURPOSE,  
10 THE DIRECTOR MAY CONSIDER STANDARDS ESTABLISHED BY THE  
11 COMMISSION FOR RENEWAL OF DIETETIC REGISTRATION AND MAY AUDIT  
12 THE RECORDS OF LICENSEES DOCUMENTING COMPLIANCE WITH THE  
13 DIRECTOR'S REQUIREMENTS;"

14 Reletter succeeding paragraphs accordingly.

15 Page 3, line 38, strike "ARTICLE." and substitute "ARTICLE AND RULES  
16 PROMULGATED PURSUANT TO THIS ARTICLE."

17 Page 4, line 9, strike "BY A DATE AND".

18 Page 4, line 11, after the period insert "A PERSON PRACTICING DIETETICS  
19 ON THE EFFECTIVE DATE OF THIS SECTION SHALL APPLY FOR LICENSURE BY  
20 JULY 1, 2013."

21 Page 4, line 39, strike "SUCCESSFULLY COMPLETED" and substitute  
22 "PASSED".

23 Page 4, strike line 41.

24 Page 5, strike lines 1 and 2.

25 Reletter succeeding paragraph accordingly.

26 Page 5, line 18, strike "RENEWAL" and substitute "REINSTATEMENT".



1 Page 6, line 20, strike everything after "REQUIREMENTS".

2 Page 6, line 21, strike "(h)." and substitute "(c).".

3 Page 6, strike lines 36 through 41.

4 Page 7, strike lines 1 through 8 and substitute:

5           **"12-35.3-108. Liability insurance - rules.** (1) (a) EXCEPT AS  
6 SPECIFIED IN SUBSECTION (2) OF THIS SECTION, IT IS UNLAWFUL FOR ANY  
7 PERSON TO PRACTICE DIETETICS WITHIN THIS STATE UNLESS THE PERSON  
8 PURCHASES AND MAINTAINS PROFESSIONAL LIABILITY INSURANCE IN AN  
9 AMOUNT NOT LESS THAN THREE HUNDRED THOUSAND DOLLARS PER CLAIM  
10 WITH AN AGGREGATE LIABILITY LIMIT FOR ALL CLAIMS DURING THE YEAR  
11 OF ONE MILLION DOLLARS.

12           (b) PROFESSIONAL LIABILITY INSURANCE REQUIRED BY THIS  
13 SECTION MUST COVER ALL ACTS WITHIN THE SCOPE OF PRACTICE OF  
14 DIETETICS.

15           (2) THE DIRECTOR MAY BY RULE EXEMPT OR ESTABLISH LESSER  
16 LIABILITY INSURANCE REQUIREMENTS FOR ANY CLASS OF LICENSEE THAT:

17           (a) PRACTICES DIETETICS AS EMPLOYEES OF THE UNITED STATES  
18 GOVERNMENT;

19           (b) RENDERS LIMITED OR OCCASIONAL DIETETICS SERVICES;

20           (c) PERFORMS LESS THAN FULL-TIME ACTIVE DIETETICS SERVICES  
21 BECAUSE OF ADMINISTRATIVE OR OTHER NONCLINICAL DUTIES OF PARTIAL  
22 OR COMPLETE RETIREMENT;

23           (d) PROVIDES UNCOMPENSATED DIETETICS SERVICES BUT DOES  
24 NOT OTHERWISE PROVIDE COMPENSATED DIETETICS SERVICES; OR

25           (e) PRACTICES DIETETICS IN SUCH A MANNER THAT RENDERS THE  
26 AMOUNTS PROVIDED IN SUBSECTION (1) OF THIS SECTION UNREASONABLE  
27 OR UNATTAINABLE."

28 Page 7, line 11, after "A" insert "PERSON, INCLUDING A" and strike  
29 "DIETITIAN" and substitute "DIETITIAN,".

30 Page 7, strike lines 13 and 14.

31 Reletter succeeding paragraphs accordingly.

32 Page 8, line 31, after "OF" insert "CONCERN OR".



- 1 Page 9, line 31, after "FELONY" insert "OR ANY MISDEMEANOR RELATED  
2 TO THE PRACTICE OF DIETETICS".
- 3 Page 10, line 2, strike the second "OR".
- 4 Page 10, strike line 5 and substitute "12-35.3-111;  
5 (k) HAS FAILED TO RESPOND IN AN HONEST, MATERIALLY  
6 RESPONSIVE, AND TIMELY MANNER TO A COMPLAINT, REQUEST, OR ORDER  
7 ISSUED BY THE DIRECTOR; OR  
8 (l) HAS RESORTED TO FRAUD, MISREPRESENTATION, OR DECEPTION  
9 IN APPLYING FOR, SECURING, RENEWING, OR SEEKING REINSTATEMENT OF  
10 A LICENSE IN THIS OR ANY OTHER STATE, IN APPLYING FOR PROFESSIONAL  
11 LIABILITY COVERAGE, OR IN TAKING THE EXAMINATION REQUIRED BY THIS  
12 ARTICLE.".
- 13 Page 10, line 31, strike "A CERTIFIED LETTER" and substitute "FIRST-CLASS  
14 MAIL".
- 15 Page 11, line 4, strike everything after the period.
- 16 Page 11, strike lines 5 and 6.
- 17 Page 13, line 19, strike ")," and substitute "(13),".
- 18 Page 15, after line 31 insert:
- 19 "(19) UPON THE FAILURE OF A LICENSEE TO COMPLY WITH ANY  
20 CONDITIONS IMPOSED BY THE DIRECTOR PURSUANT TO THIS SECTION,  
21 UNLESS DUE TO CONDITIONS BEYOND THE LICENSEE'S CONTROL, THE  
22 DIRECTOR MAY ORDER SUSPENSION OF THE LICENSEE'S LICENSE TO  
23 PRACTICE DIETETICS IN THIS STATE UNTIL THE LICENSEE COMPLIES WITH  
24 THE CONDITIONS.  
25 (20) IF THE DIRECTOR REVOKES A LICENSE TO PRACTICE DIETETICS,  
26 THE LICENSEE CANNOT REAPPLY FOR LICENSURE FOR TWO YEARS AFTER  
27 THE REVOCATION.".
- 28 Page 17, strike lines 27 through 35.
- 29 Renumber succeeding subsection accordingly.
- 30 Page 17, line 40, strike "2019." and substitute "2017.".



1 Page 18, strike lines 3 through 10 and substitute:

2 "SECTION 2. In Colorado Revised Statutes, 24-34-104, **amend**  
3 (48.5) as follows:

4 **24-34-104. General assembly review of regulatory agencies**  
5 **and functions for termination, continuation, or reestablishment.**

6 (48.5) The following agencies, functions, or both, ~~shall~~ terminate on  
7 September 1, 2017:

8 (a) The domestic violence offender management board created in  
9 section 16-11.8-103, C.R.S.;

10 (b) THE REGULATION OF LICENSED DIETITIANS PURSUANT TO  
11 ARTICLE 35.3 OF TITLE 12, C.R.S.

12 **SECTION 3.** In Colorado Revised Statutes, 24-34-110, **add** (3)

13 (a) (XX) as follows:

14 **24-34-110. Medical transparency act of 2010 - disclosure of**  
15 **information about health care licensees - fines - rules - short title -**  
16 **legislative declaration.** (3) (a) As used in this section, "applicant" means  
17 a person applying for a new, active license, certification, or registration  
18 or to renew, reinstate, or reactivate an active license, certification, or  
19 registration to practice:

20 (XX) DIETETICS PURSUANT TO ARTICLE 35.3 OF TITLE 12, C.R.S."

21 Renumber succeeding section accordingly.

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