COLORADO
Department of
Regulatory Agencies
Executive Director's Office

Barbara Kelley, Executive Director

December 12, 2014

The Honorable Lois Tochtrop, Chair, Senate Business, Labor and Technology Committee
The Honorable Angela Williams, Chair, House Business, Labor, Economic, and Workforce Development Committee

Dear Senator Tochtrop and Representative Williams,

Pursuant to the statutory section noted below, attached is a spreadsheet documenting the number of Confidential Letters of Concern (LOC) issued by each Division of Professions and Occupations board/program in calendar year 2014[1]. This provision was added to the statute during the 2006 legislative session as a result of a Consistency Bill through which the division requested that LOC authority be added to those boards and programs that did not have the authority. As a compromise for providing the boards and programs with this authority, the legislature requested data on an annual basis as to how many LOCs were issued.

> § 24-34-101(13) The executive director shall include in the presentation to the legislative committee of reference pursuant to section 2-7-201, C.R.S., the number of confidential letters of concern issued in the twelve months prior to the presentation by the director of the division of professions and occupations and any board pursuant to title 12, C.R.S.

In 2014, the overall number of LOCs issued represents an increase over 2013 but remains consistent with overall historic levels. LOC activity within individual years fluctuates in step with enforcement activities and renewal cycles. In 2014, the Division implemented a new regulatory program for Naturopathic Doctors and also fully implemented new authority to issue LOCs for the Massage Therapy program. Renewal cycles created fluctuations within boards and programs. For example, most boards and programs require renewal of licenses every 2 years. If a licensee does not renew during the renewal cycle, the individual must submit an application to reinstate his or her license. A LOC for practicing on an expired license for less than one year is issued to any individual who discloses on the reinstatement application that he or she has continued to practice without a license.

Please let me know if you have any questions.

Barbara J. Kelley, Executive Director
Department of Regulatory Agencies

[1] The data covers 1/1/14 through 12/10/14.

DORA - Division of Professions and Occupations

Report on Confidential Letters of Concern (LOC) for Calendar Year 2014

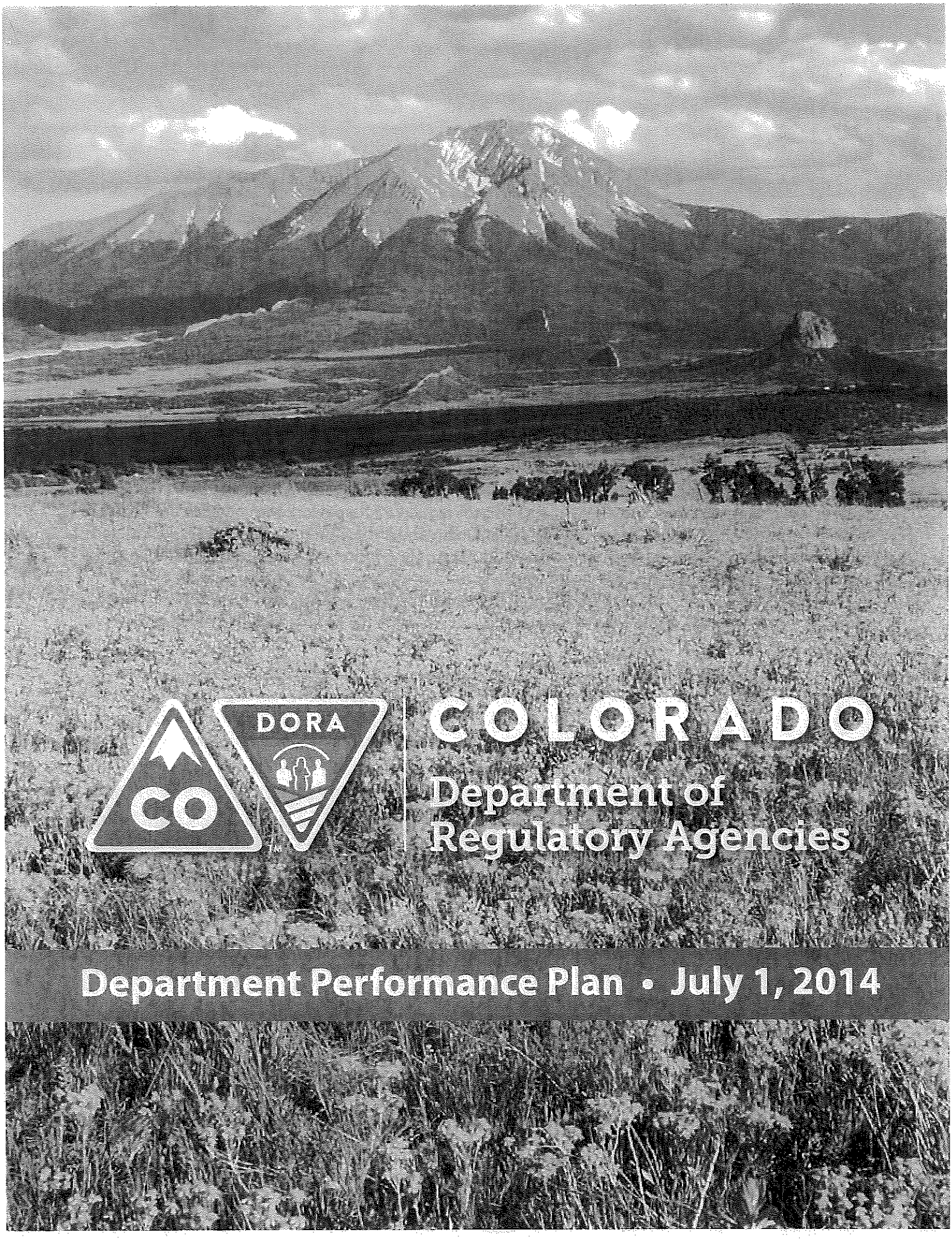
Prepared 12.11.14

Board/Program	2008	2009	2010	2011	2012	2013	2014
Accountancy	3	9	75	101	89	61	38
Acupuncturists	3	1	5	6	4	1	1
Addiction Counselors	14	5	26	17	18	6	10
Architects/Engineers/Land Surveyors	4	59	78	65	16	15	17
Athletic Trainers	-	-	-	0	0	0	0
Audiologists	-	-	-	-	-	-	0
Barber/Cosmetology	1	0	257	167	155	57	258
Boxing	0	0	0	0	0	0	0
Chiropractic	57	18	34	25	34	17	36
Dental	111	63	119	32	66	43	36
Electrical	5	11	20	18	63	65	0
Funeral Homes/Crematories	0	0	1	4	3	4	0
Hearing Aid Providers/Audiologists	4	2	7	0	5	1	-
Hearing Aid Providers	-	-	-	-	-	-	0
Landscape Architects	0	1	1	0	0	1	0
Midwives	0	2	3	1	4	0	2
Massage Therapists	N/A	N/A	N/A	N/A	N/A	4	52
Mental Health – Licensed Professional Counselors	43	3	35	8	21	24	18
Mental Health – Marriage and Family Therapists	9	0	7	5	5	0	4
Mental Health – Psychology	20	2	25	13	14	12	7
Mental Health – Social Work	37	5	36	11	15	8	7
Mental Health – Registered Psychotherapists	30	5	22	4	27	6	20
Medical	118	122	125	135	121	133	117
Naturopathic Doctors	-	-	-	-	-	-	0
Nursing	100	131	151	146	133	80	149
Nurse Aides	68	65	56	59	48	27	50
Nursing Home Administrators	3	3	2	2	1	1	0
Occupational Therapists	0	0	2	0	0	0	0
Optometric	6	9	1	4	2	1	3
Outfitters	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Passenger Tramway	0	0	0	0	0	0	0
Pharmacy	124	100	237	139	132	80	129
Physical Therapy	1	7	3	4	15	6	2
Plumbers	2	1	41	9	76	67	29
Podiatry	4	4	8	6	3	5	3
Private Investigators	-	-	-	-	-	-	0
Respiratory Therapy	2	1	1	3	1	0	0
Speech-Language Pathologists	-	-	-	-	-	-	0
Surgical Technicians	-	-	-	N/A	N/A	N/A	0
Veterinarians	7	8	11	48	6	24	20
Total Actual	**776**	**637**	**1,389**	**1,032**	**1,077**	**749**	**1,008**

N/A = Program does not have LOC authority.

" - " Board/Program did not exsist

PERFORMANCE PLAN



COLORADO
Department of Regulatory Agencies

Department Performance Plan • July 1, 2014

Department of Regulatory Agencies

Department Performance Plan • July 1, 2014

Department Mission

The Department of Regulatory Agencies (DORA) is dedicated to preserving the integrity of the marketplace and promoting a fair and competitive business environment in Colorado. Consumer protection is our mission.

Department Vision

With an unwavering commitment to Colorado consumers, the Department of Regulatory Agencies creates and sustains an effective, efficient and elegant regulatory framework within which the Colorado economy can thrive. With a constant eye on streamlining and improving processes, and reducing "red-tape" and regulatory burdens, the framework fosters trust, confidence and access, while maintaining fair and rigorous standards for professions and businesses.

Principled by our core values of Dedication, Openness, Respect, and Accountability, DORA is the foundation and premier resource for the value state government places on a safe and competitive business environment in Colorado.

D DEDICATION	Committed to the mission - understanding and supporting customers' expectations and needs by continuously improving services and processes, and ultimately, every customer/stakeholder experience. RESPONSIVE • RESPONSIBLE • STEADFAST
O OPENNESS	Visionary - boldly inquisitive and receptive to new ideas by maintaining transparency to establish a reputation of fairness and integrity that consumers can trust. HONEST • COMPETENT • TRUSTWORTHY
R RESPECT	An expressed appreciation for teamwork and diversity - sensitivity to different views and interests, and the value of clear and effective communication. CONSCIENTIOUS • CONSISTENT • SINCERE
A ACCOUNTABILITY	Mission and results driven - a collective and unified commitment to be responsible and dependable, and demonstrate leadership. ACCESSIBLE • PROFESSIONAL • RELIABLE

Guiding Principles:

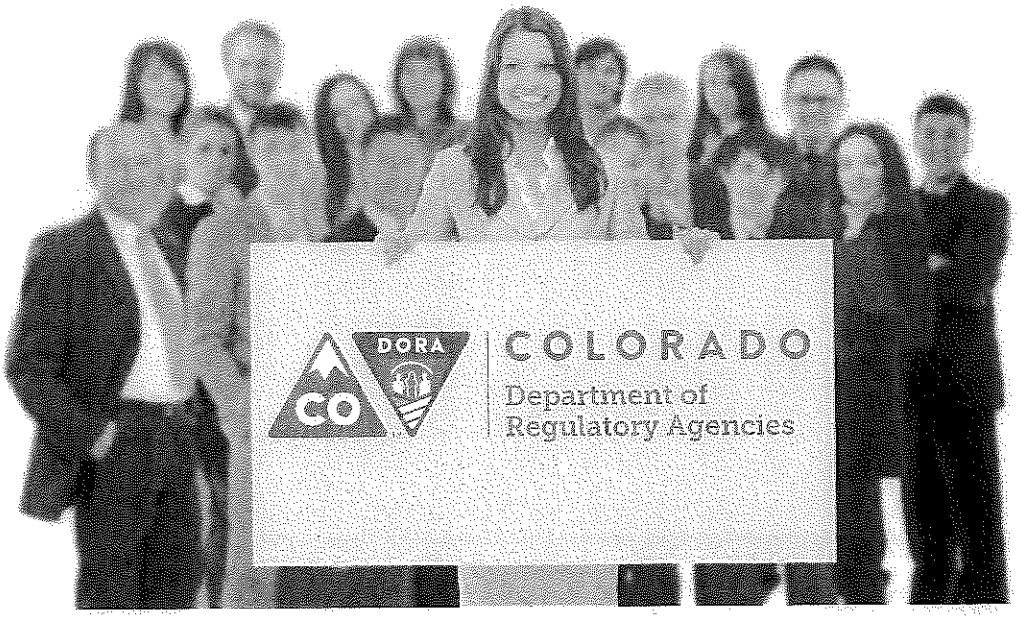
Influencing the Customer Experience: We are focused on delivering consumer outreach, professional outreach, and complaint resolution - with a timely and consistent, platinum level of customer service, thereby enhancing each customer experience to measurable success.

Leveraging of Value and Partnerships: DORA prides itself on the development, sustainment and strengthening of internal and external partnerships to improve and increase the true value we provide, including our fair, responsible and collaborative consumer protection presence in the Colorado economy. We are dedicated to increasing, expanding and capitalizing on professional relationships, both within and outside of departmental walls.

Commitment to Culture: DORA recognizes its employees are its greatest asset, and the foundation for success. DORA values each individual employee. We are committed to recruiting and retaining, and investing in our workforce, and the work environment and culture. DORA creates and provides opportunities for engagement, growth, education, training, and individual and professional development, capitalizing on employees' strengths in order to foster a culture of teamwork, to achieve our collective mission and enhance every customer experience in offering high quality services.

Department Description

The Department of Regulatory Agencies (DORA) was officially created as a department in 1968, however many of our divisions and programs have been protecting Colorado consumers since 1877. The Department includes 10 divisions having 41 boards, commissions and advisory committees, charged with administering over 50 regulatory programs governing professions, occupations and businesses comprising over 700,000 individual licensees and approximately 40,000 businesses and institutions. This includes 295 board members and 573 professional regulatory staff including program directors and managers; professional examiners, inspectors, and investigators; financial analysts, and technical, front-line professional, technical and administrative staff.

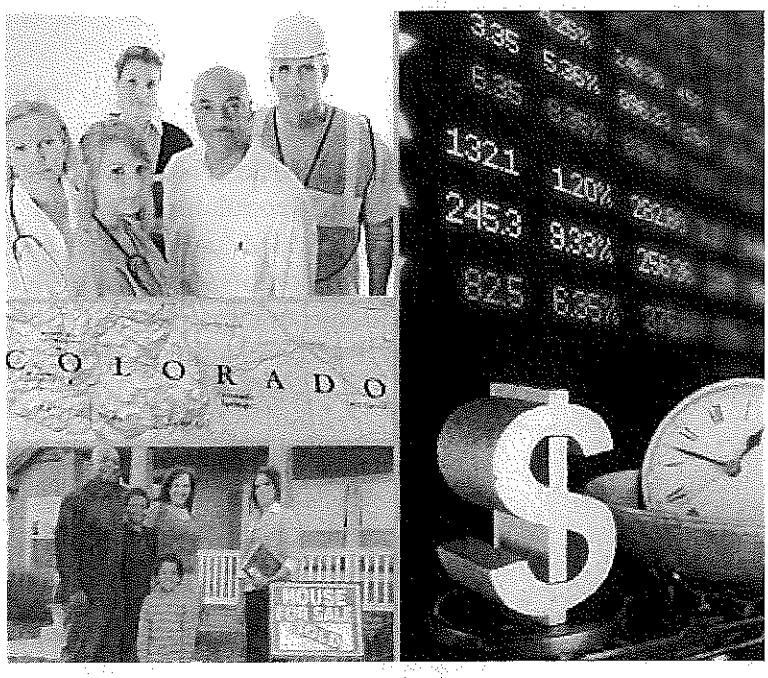


With one face, and a unified mission and vision, DORA carries out regulatory programs that license, permit and charter; establish standards; approve rates; investigate complaints; and conduct enforcement across numerous professions, occupations, and institutions. The Department is located in downtown Denver. DORA's programs are organized in the general appropriations act ('Long Bill') as follows:

Executive Director's Office	Division of Insurance
Division of Banking	Public Utilities Commission
Division of Civil Rights	Division of Real Estate
Office of Consumer Counsel	Division of Professions and Occupations
Division of Financial Services	Division of Securities

For a more detailed review of divisions, please see the organizational chart on page 19.

The Department is primarily cash funded by regulated entities through fees and assessments, which flow into cash funds. DORA is unique among state agencies with regard to the volume, complexity, and autonomy with which it sets industry fees based on appropriations made by the General Assembly. DORA is ever mindful of keeping actual fees to a minimum and a regulatory scheme that reflects only necessary regulation. DORA strives for a reputation of effectively balancing safety, business needs, and the value of quality and service. Only two key areas involve the state General Fund: the Division of Civil Rights, which is partially funded by the General Fund, and the Division of Insurance, which is supported by a combination of license fees and insurance premium tax revenues.



Major Program Areas

The following table illustrates the fundamental functions and programs that are administered by the Department of Regulatory Agencies (DORA). The table specifies the divisions that oversee specific functions, as well as a high level description of the primary processes and activities performed to deliver the services to customers and/or to accomplish the function. While the department's organizational chart provides an accurate visual representation of how the Department, the following table sets-forth how DORA actively serves the Colorado consumer and business environment, fostering a more unified view of our role in the Colorado marketplace and state government.

PROGRAM FUNCTION	DIVISIONS	PROGRAM
Licensing/ Permitting	• Banking • Insurance • Professions and Occupations • Public Utilities Commission • Real Estate • Securities	The Department processes applications for licensure for more than 50 professions, including individuals and businesses/companies. The process to issue an original license or permit includes some or all of the following: application receipt, verification and review for completeness and timeliness, review of examination results, background checks, evaluation of compliance with statutory and board requirements/parameters (e.g., education, experience, etc.,), final issuance of the license/certificate/permit of authority to operate or do business in the state (or denial).
Regulatory Program Administration *Investigations*	• Civil Rights • Insurance • Real Estate • Professions and Occupations • Public Utilities Commission • Securities	Every DORA Board and program "regulates" for compliance in accordance with respective statutes. As such, the Department is responsible for conducting criminal and/or compliance investigations in response to formal complaints (including charges alleging discrimination). This also includes regular and more proactive compliance audits or audit-oriented investigations that may not be prompted by a specific formal complaint. Investigation of potentially illegal, harmful, impaired, or incompetent activities is the mechanism used to provide the boards with information that will allow them to decide if there has been a violation of professional regulatory statutes, practice acts or the Colorado Civil Rights Act. The process includes formal complaint/charge receipt and review, which may include further intake/filing steps such as drafting charges; assignment to an investigator; information gathering; report writing; and presentation to the appropriate staff, authority or Board for potential decision making, including administrative discipline or enforcement action.
Administrative Discipline	• Civil Rights • Insurance • Real Estate • Professions and Occupations • Public Utilities Commission • Securities	The Department resolves complaints/charges received and conducts proactive enforcement/ compliance oriented investigations, to ensure that consumers are adequately protected and licensees correct identified practice deficiencies. The process includes reviewing investigative findings and making determinations as to administrative discipline or remediation, including license revocations, suspensions, cease and desist orders, practice stipulations, letters of admonition, dismissals, and dismissals with letters of concern. Additionally, the administrative discipline process includes mediations and/or efforts to realize settlements, including expedited settlements. This includes settlement offers, drafting stipulations, negotiating alternative resolutions, and tracking compliance with the stipulation terms.

PROGRAM FUNCTION	DIVISIONS	PROGRAM
Consumer Assistance and Contact Resolution	• All Divisions	The Department performs informal "complaint" resolution processes that do not necessitate an investigation. Examples include responding to general consumer inquiries and contacts about what is required or appropriate in working with licensees (both business organizations and individuals); inquiring about dollar amounts of savings to consumers that were assisted by the department; contacting respective program areas to determine if certain actions of individuals/companies are in compliance with regulations and laws; attempting to resolve issues with utility services, billing/rate matters, provision of insurance benefits/reimbursements, etc. The process includes receipt and review of the contact (phone call, e-mail correspondence, appearances at local community events, etc.,), researching the matter and/or appropriately directing the contact; and providing appropriate guidance, information and/or resolution.
Inspections	• Insurance • Professions and Occupations • Public Utilities Commission	The Department conducts inspections for more than 10 regulatory professions and areas pursuant to statutory requirements. This includes passenger carriers, household goods movers and towing carriers that operate "for-hire," electrical and plumbing inspections in areas where the State is the local inspector; vehicle, gas pipeline and tramway safety inspections; and facility/office inspections for other regulated professions including, but not limited to, pharmacies, barber shops, cosmetology salons and regional, corporate home offices. The process involves conducting on-site inspections, and reviewing required records to ensure compliance with State law and safety rules.
Economic Regulation *Rate Analysis and Approvals*	• Insurance • Public Utilities Commission	The Department receives requests to analyze and/or change the rates, terms and conditions of service offerings; to change existing certifications or authorities; to grant new certifications or authorities; to determine compliance with state regulations and to assure rates are not excessive, inadequate or unfairly discriminatory. Multiple program areas conduct an analysis of each of these requests and ultimately approves or denies such requests. The approval process includes receipt of the request, analysis by Division/ Commission staff, and decision by the Commission. The process may also include testimony by staff and external parties; evidentiary hearings by the Commission or an Administrative Law Judge (ALJ); legal work by Commission and Staff/Attorney General (AG) attorneys; various rulings on matters, including requests for intervention; preparation and issuance of a final decision by the Division/Commission. If appealed, the process includes legal work to prepare for and respond to appellate cases filed with the appropriate judicial body. This includes requests from utilities or regarding insurance rates charged to Colorado consumers by automobile, homeowners, life, health, workers' compensation, and other insurers.

PROGRAM FUNCTION	DIVISIONS	PROGRAM
Consumer Representation during Utility Rate Approvals	• Office of Consumer Counsel	Through the Office of the Consumer Counsel (OCC), the Department intervenes in rate increase requests ("rate cases") submitted by the utilities and participates in administrative hearings which ultimately lead to approval of rates charged to consumers. The rate approval process includes receipt of the rate request; evidentiary hearings by the Public Utilities Commission or an ALJ; staff review, research, and testimony in support of the hearing process; legal work by attorneys throughout the administrative law process; various rulings on matters including right of intervention and the need for public testimony; preparation and issuance of a final decision by the Commission; legal work to prepare for and respond in appellate cases filed with the appropriate judicial body.
Institutional Examinations	• Banking • Financial Services • Insurance • Real Estate • Securities	The Department protects consumers by conducting examinations of all state-chartered financial institutions and insurance companies under its supervision to preserve public trust in the financial industries regulated in Colorado including Banks, Money Transmitters, Trust Companies, Credit Unions, Savings and Loans, Securities Broker-Dealers, Investment Advisory Firms, Insurance Companies, Brokerage Firms and Subdivision Developers. In order to fulfill this duty, the Department (by separate statutes and divisions) performs regular on-site examinations of the records of these institutions in coordination with applicable federal counterparts including the Federal Deposit Insurance Corporation, the Federal Reserve Bank, and the National Credit Union Administration; engages in letters of understanding; issues consent/cease and desist orders; and when necessary, assumes operational control of institutions to protect consumers' deposits. Examinations also are conducted to confirm compliance with requirements of the Public Deposit Protection Act (at applicable institutions). Insurance companies are examined to determine compliance with insurance law and regulations.
Outreach, Education and Training	• All Divisions	The Department engages in widespread efforts to pro-actively inform consumers of their rights regarding regulated occupations and professions with hopes of serving a more informed consumer base, decreasing regulatory violations and ensuring public awareness of consumer protection information available from DORA. The overarching goal is to foster smart consumers, which in turn, strengthens consumer confidence and positively impacts the Colorado business environment. Outreach, education and training processes include the development and dissemination of brochures, newsletters, correspondence, etc., radio and television public service announcements, formal and informal training, town hall meetings throughout the state, expanded visibility through technological communications, advertising and marketing materials, establishment of crisis-help centers and call-centers, public speaking engagements and interviews, etc.

DORA's customer base is broad and deep, as the Department interacts with consumers, professionals, businesses, financial institutions, government officials, and the general public. DORA's belief is that Colorado's economy will thrive through a regulatory framework that protects Colorado's consumers, while fostering fair and rigorous standards for professionals and businesses.

"Consumer Protection" is such a broad term, carrying with it so many different meanings, to different audiences. From DORA's perspective, consumer protection is the composite of all the functions noted above, from establishing the professional and occupational practice standards, to oversight and enforcement of those standards, to education and outreach to facilitate an understanding of the standards. Working toward this end demonstrates the value Colorado places on a safe and competitive business environment. Adhering to the consumer protection mission also requires that DORA promote fair, and not overly burdensome standards across the professions.

We are proud to be recognized as the State's consumer protection agency.

Strategic Policy Initiatives

By design, Strategic Policy Initiatives are intended to form the overarching framework for the policy goals of the Department, driving the direction the Department intends to go in the future. Crafted by Executive Leadership, these Initiatives are intentionally broad, representing general outcome goals/measures for department-wide efforts (as opposed to day-to-day activities or operational measures). Strategic Policy Initiatives are influenced by the department's actions, but are not necessarily in the full control of the department or its employees. Strategic Policy Initiatives are often influenced by environmental factors that departments cannot shape or control. As such, the goals set forth in support of the Strategic Policy Initiatives of this component of the Performance Plan may not represent the day-to-day operations and/or associated incremental measures of the Department's activities and progress. Rather, the stated goals articulate the intended, ultimate outcomes/goals of DORA's five Strategic Policy Initiatives, within which the Department can then build the program-level operational planning components, focusing on the discrete program areas and processes to measure progress and define operational outputs.

The five Strategic Policy Initiatives comprehensively span the Department's efforts and direction across all of its major program areas, and represent real value and meaning to our customers; yet are few and manageable enough to enable the development of unifying objectives, goals and measures of success for the entirety of the workforce to contribute to the Department's mission.

Public Trust and Confidence is Increased. DORA provides reasonable and conscientious regulation. The Department is a recognized leader in the creation and sustainment of a fair, competitive and business friendly regulatory environment, including education, outreach and communication in and for Colorado.

Description and Objectives: Public trust and confidence is vital in order for DORA to assure consumer protection. DORA assumes a leadership position in the State's efforts to demonstrate the ability to make decisions, develop systemic action plans, act in the public interest, and follow-through. Strategies incorporate and depend upon trend analyses, responsible and transparent stewardship of money and resources, data driven decision making, communication and continuous improvement.

July 1, 2015 Goals:

1. Regulatory burdens and "red-tape" of State government are reduced.
   - An increasingly progressive and model regulatory framework
   - Rules and regulations are fair, easy to understand and conscientious.
   - Decisions are supported by actions that are attentive to the impact of regulation on businesses and professions.
   - Professionals and businesses we regulate are recognized as much as consumers and customers, as other members of the general public.
2. Responsible and transparent stewardship of money and resources.
   - Program management fees and fines are easy to understand and navigate.
   - Fees and fines are set at the minimum necessary to support profession and stakeholder operations while providing a sustainable foundation for department funding.
   - Savings and resource efficiencies recognized by Lean or continuous improvement measures are quantifiable, and reinvested/redeployed for tangible improvements.
3. Regulatory and legislative agendas are transparent and understandable.
   - Developed with formalized processes for engaging and collecting input from stakeholders
   - Attention is given to public interest throughout item and agenda development.
4. The Department has a new citizen centric web presence.
   - A focused analysis of content, on-going usefulness, management, access and functionality is conducted.
   - User feedback is solicited and utilized, including the use of focus groups.
   - The site is continuously improved based on managing feedback.
5. DORA helps active military personnel, veterans and their families transition into civilian life.
   - Utilize baseline data regarding the participation of active military personnel, veterans and their families in the programs DORA administers, to identify and help eliminate obstacles to and for the licensing and credentialing of Colorado veterans.

July 1, 2017 Goals:

1. The systemic cycle for reviewing rules, regulations, bulletins and policies is sustained, assuring they are relevant and required, easy to understand, not unreasonably burdensome and demonstrate stakeholder involvement and consensus building.

2. Fees are set as low as possible, and provide reasonable recovery costs that sustain a responsible funding mechanism for DORA without unduly burdening professions/businesses.

3. Stakeholders' expectations are met or exceeded when engaging with DORA; input is easy to provide, heard, considered, and DORA exercises proper follow-up and follow-through. Legislative and regulatory agendas represent minimal regulatory burden and adequately represent the department's ability to act in the public interest.

4. The DORA web-site is customer centric; continuously updated to reflect best practices and design; easy to understand and navigate; a result of how the "user" sees and wants to access and interact with information; and results in increased usage by consumers, businesses and professions.

5. DORA is recognized as one of the most military friendly licensing and credentialing state agencies in Colorado government, and has engaged other State agencies to ease the burden on transitioning military personnel and veterans.

Public Protection is Enforced. The Department brings value to the marketplace, and the quality and "capital" of regulatory program administration and enforcement processes are consistent, streamlined, standardized, consistently improved, and leverage technology.

Description and Objectives: To support a thriving economy, it is key to strive to shift cultures and mind-sets from a "discipline and enforcement" orientation, to encouraging, recognizing and promoting the value of compliance and understanding. Proper branding and messaging, providing compliance assistance and promoting compliance incentives enhance the department's ability to create a balanced regulatory framework. Effective internal and external partnerships enhance our collective ability to capitalize on shared resources and achieve mission-focused consumer protection goals. Public protection is also enforced through DORA's proactive and effective management of public safety; the safety of equipment/vehicles, professional services, facilities and transportation, (e.g., gas pipelines, ski lifts, tramways, etc.,) is essential to minimizing risk, particularly in emergency or disaster situations. Improving processes, and identifying opportunities to expand and/or share common resources beyond division and department boundaries enables DORA to make measurable, resourceful and innovative changes to more effectively and efficiently motivate and encourage compliance without compromising enforcement processes.

July 1, 2015 Goals:

1. DORA Regulations are applied with consistency, efficiency and common sense across all programs, divisions and subject areas.
   - Cross-division, common issues and trends, systemic challenges, and benchmark practices are identified, to establish a joint or "core" set of simplified best-practices, matrices, guides, tools, resource materials, procedures, competencies, etc.
   - Engagement and collaboration with stakeholders is increased, to ensure professional standards match the professional standards expected by the public.
2. Enforcement and compliance programs are strengthened.
   - Increased deliberate consultation with partners in both business and other jurisdictions
   - The use of innovative strategies that combine compliance assistance, compliance incentives, earlier or self monitoring and new enforcement "tools" for regulated entities.
3. High profile expectations are fulfilled with increasing ease and confidence.
   - Mandates of the Affordable Care Act (ACA) and Health Insurance Reform are achieved, providing expanded support and resources.
   - DORA provides efficient and operationally effective regulatory oversight of the benefit plans and rates offered on Connect for Health Colorado.
   - Discussions and decision making with respect to access to central bank services by Colorado Marijuana Financial Co-ops are prompted.
   - Facilitate and provide support for the organization and initial operations of the Broadband Board within DORA.
4. DORA investigations, inspections and audit functions are improved as a result of Lean or similar continuous improvement tools and strategies.
   - Reponses and processes are more timely and prompt.
   - Complaint to resolution timeframes demonstrate efficiencies and streamlining, elimination of waste and duplication.
   - Use of technology and enterprise solutions, including license, across division provide greater effectiveness and consistency.

5. DORA's licensing, renewals and registration functions are improved as a result of continuous improvement tools and strategies.
   - The department's licensing, renewals and registration functions can be completed and status tracked on line.
   - Users have 24/7 access to information.
6. Increased and expanded opportunities for and use of the Expedited Settlement Process (ESP) model, including Alternative Dispute Resolution, Mediation, and/or Conciliation for case settlement/resolution.
   - Decreased time for resolving substantiated complaints
   - Reduce legal expenditures
   - More expedient and less formal resolutions are achieved
7. Develop a collaborative investigatory model, utilizing best practices across the relevant divisions within the Department; and develop companion training program to promote and support utilization across the divisions.

July 1, 2017 Goals:

1. Benchmark regulatory enforcement and compliance practices are utilized with consistency, efficiency and common sense across divisions and program areas. Resources that "help our customers help themselves" are accessible, to better educate and inform all customers regarding our processes and expectations. Core competencies and common practices are more portable and applicable across division boundaries for the investigation, inspection and audit functions.
2. New compliance/enforcement tools and incentives are created, implemented, and effective; enabling improved self-auditing through earlier identification and correction of issues.
3. Full implementation, compliance and effective management of high profile changes, in particular the Affordable Care Act (ACA) and Health Insurance Reform, including effective regulatory oversight of benefits plans, reasonable rates and use of processes that are user-friendly and easy to understand and navigate.
4. Enterprise applications improve processing, response times, and consistency in delivery of services.
5. One licensing platform, enabling a singular "portal" into the department, for licensees, including the ability to track the status and renew, on line.
6. Expanded use of expedited settlements, mediations, alternative dispute resolution, conciliation throughout the department, resulting in reduced internal duplication of efforts and external confusion for those we serve; as well as quicker, less formal and less costly settlement of cases.
7. A comprehensive review of business workflow processes across the department conducted, to create an enterprise case and content management solution, enabling workflow efficiencies, minimizing redundancy across and within DORA and to external stakeholders (including reducing "hand-off" times within and between DORA and the Office of the Attorney General).
8. Opportunities for paperless and less costly interaction with DORA, including electronic complaint and intake processes.

Regulatory Activities and Economic Development are Connected. The Department builds and maintains professional partnerships, and conducts outreach initiatives to create relationships that enable government to more positively influence the Colorado economy.

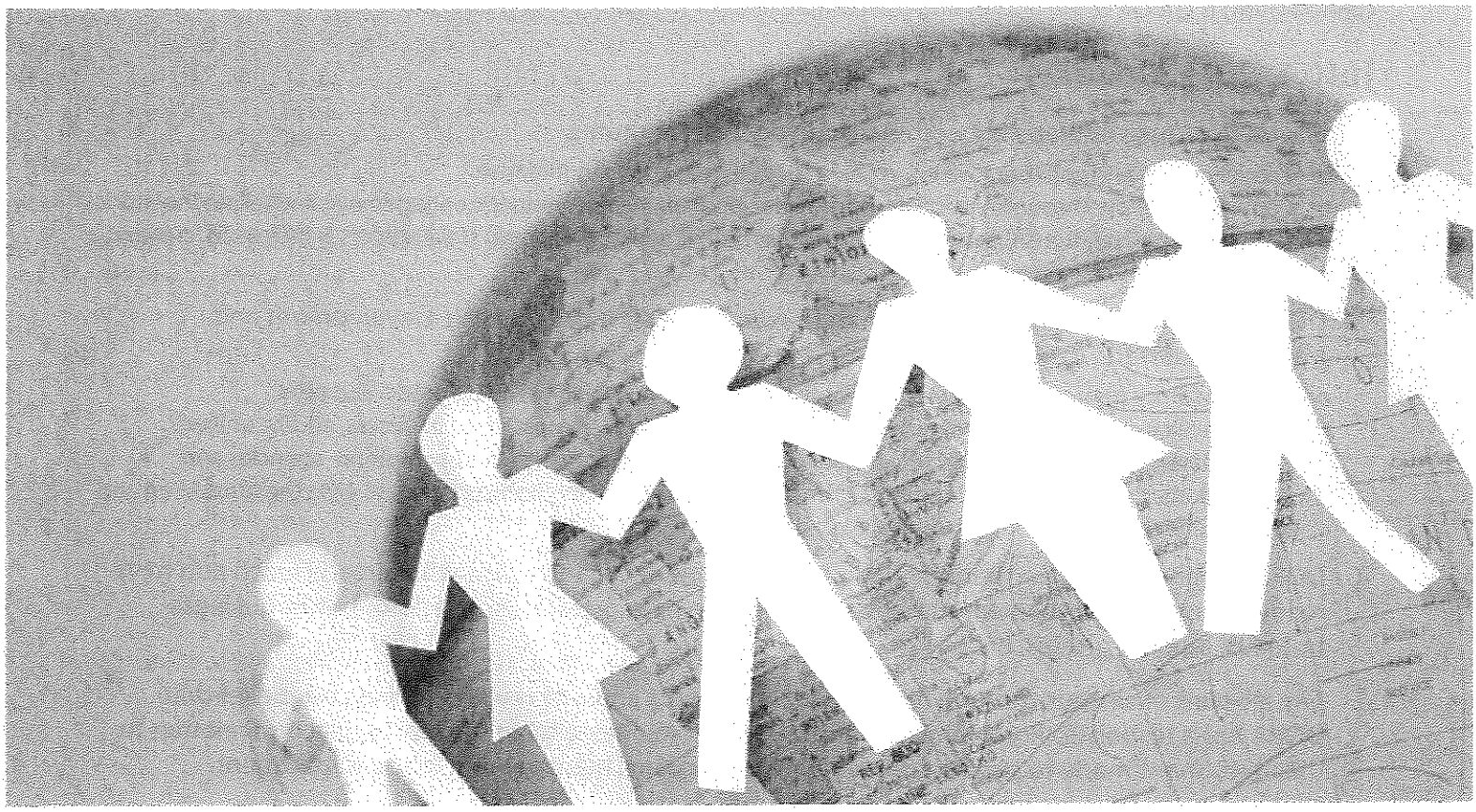
Description and Objectives: The process for stakeholders such as businesses, professionals, licensees, other jurisdiction/government counterparts, Boards and Commissions, constituents, etc., to contribute to the policy, rules, and decision making processes and discussions should be clear and easy. Qualified individuals must be timely licensed; and the department must continue to develop and strengthen internal and external partnerships to improve economic development, foster and sustain a competitive marketplace, and protect consumers. Interested parties must have a reliable and prompt avenue to easily access and communicate with the necessary departments to acquire a license or open a small business. Effective partnerships offer agency recognition, information sharing, partnering of divisions and jurisdictions, and the application of mutual resources. External collaboration is critical when addressing the complexities of regulatory and public protection issues and trends.

July 1, 2015 Goals:

1. Efforts to reduce red tape are entrenched in agencies' cultures.
   - Conversations and collaborative efforts akin to the Pits and Peeves initiative.
   - Continuous follow-through and follow-up provide opportunities for feedback, engagement, and telling the "stories"
   - The strength of relationships between state government and business and stakeholders is increased, creating a platform of mutual interests.
2. DORA becomes strategic partner with the Governor's Office of Economic Development and International Trade (OEDIT).
   - The regulatory framework supports the continuing implementation of the Colorado Blueprint
   - DORA facilitates the potential of establishing a "one-stop-shop," singular point of access, and/or unified/consolidated guidance materials for identifying regulatory requirements, across multiple agencies and jurisdictions, that impact small businesses and professionals seeking licensure, etc., to ease the burden on and for new and/or start-up businesses in Colorado.
3. DORA's strengthened partnering relationship with other organizations who already reach and have ready access to the broad consumer base DORA serves (e.g. trade associations, better business bureaus, interest groups, etc.)
4. The amount of savings through regulation, settlements and rate reviews reflects our belief that DORA has a responsibility to provide tangible, economic benefits to the marketplace, in relation to the investment made to support the regulatory programs management in the department.

July 1, 2017 Goals:

1. A "culture" and systemic approach to reduce governmental red-tape and continue conversations with Colorado businesses and professionals.
2. Enhanced relationships with Boards, trade associations, federal agencies, special interest groups, community partners and others, to address information, share resources, enabling DORA to provide greater and broader information to the public through entities who already have access to the consumer groups (as opposed to the public needing to come to DORA).



Government is Accessible and Responsive. DORA enhances professional development and provides training for a high quality, customer centric workforce. DORA defines and creates an overarching and internally consistent employee engagement and workforce development foundation and framework to maximize employee success, department efficiencies and access, and ultimately, the customer experience.

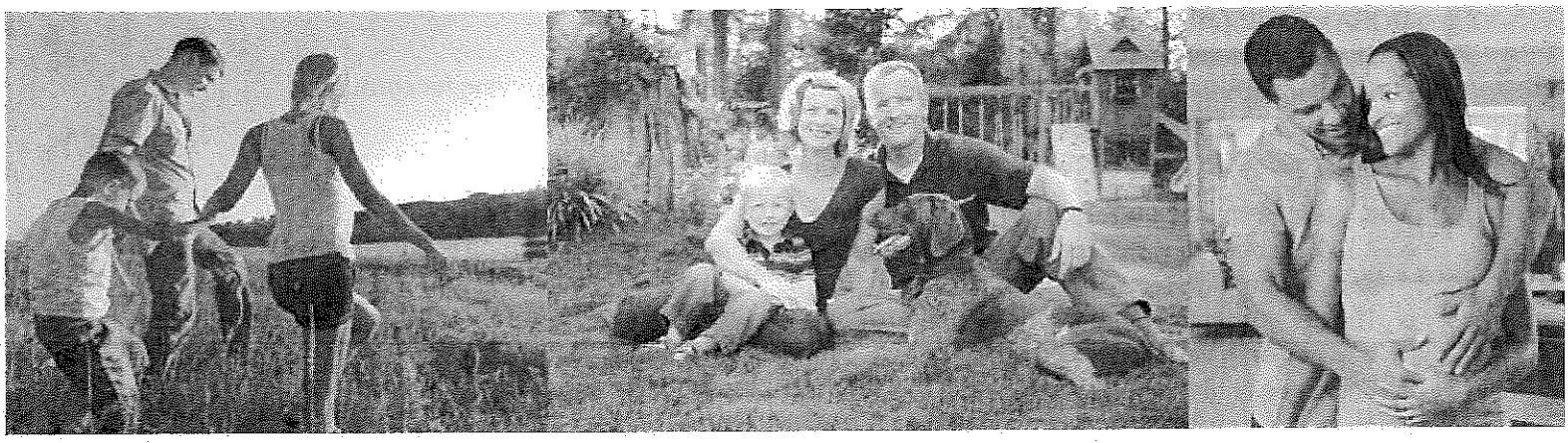
Description and Objectives: DORA recognizes the importance of investing in personnel by providing training, education, personal enrichment and professional development opportunities that enable employees to utilize their individual and team strengths to achieve DORA's mission of providing consumer protection with a platinum level of customer service. We must ensure employees have the resources to improve their careers and professional lives, which will increase department accessibility and responsiveness, establish a culture of service, increase employee engagement and accountability, equating to and resulting in high performance.

July 1, 2015 Goals:

1. A core Lean team is established to foster a customer centric, continuous improvement culture.
   - The Lean and process improvement talent pool throughout DORA is expanded.
   - A specific group and process is created for identifying and prioritizing projects.
   - The reporting of tangible and measurable results is simplified.
2. DORA defines and delivers a "platinum level" customer experience.
   - DORA customers are provided an opportunity to provide input on an on-going basis.
   - Data points for consistent tracking and monitoring are identified.
3. DORA's communication mechanisms and strategies are assessed.
   - The Department creates a new, citizen centric internet presence.
   - Simpler, technology supported, processes for improved complaint/charge filing for consumers
   - Expanded use of social media.
   - 24/7 mechanisms for the public to access, and provide feedback.
4. The leadership and engaged culture of the DORA workforce is expanded.
   - A DORA supervisor and Leadership Academy is developed to provided training and mentoring to increase skills and competencies.
   - The department training program caters to specific needs, and focuses on areas that align with the department's Performance Plan, priorities and functions.
   - Employee engagement survey data is utilized determine progress, and areas of improvement.
   - Mechanisms for employee empowerment are enhanced.
5. Recruitment, retention and succession planning programs and strategies are improved.
   - A wholesale review of policies and procedures is conducted.
   - Implementation of flexibilities and latitude, to build and sustain a highly talented, engaged workforce and culture
   - Collaboration, professional development and employee innovation are promoted in order to create customer centric services and interactions.

July 1, 2017 Goals:

1. At least twelve DORA-wide functions (across more than one division/program area) have resulted in measurable improvements to the customer, as a result of Lean or a similar process improvement strategy.
2. DORA has institutionalized systems and processes for obtaining continuous feedback and input from both internal and external customers.
3. DORA's web presence is accessible, intuitive, easy to navigate and user-friendly, as evaluated by consumers and customers; and innovative (social media) mechanisms are reaching a broader audience in a more timely manner.
4. DORA has one of the most competitive recruitment, training, retention, succession planning and compensation packages in state government, enabling the department to attract and retain a highly talented and engaged workforce.



Consumer Rights are Protected. DORA provides comprehensive and unified outreach, and broad and specific education to the citizens of Colorado, and works closely with public and appropriate private organizations in conducting educational programs so citizens are not only informed of their rights, but know where to go with issues, concerns or complaints.

Description and Objectives: DORA recognizes and leverages the value of preventative measures by providing training, education and information to individuals and groups regarding current laws. DORA works in close cooperation with federal and local agencies and community based, non-profit organizations, whose missions are parallel. Formal work sharing agreements are considered and entered into to avoid duplication of effort on those matters where joint jurisdiction exists.

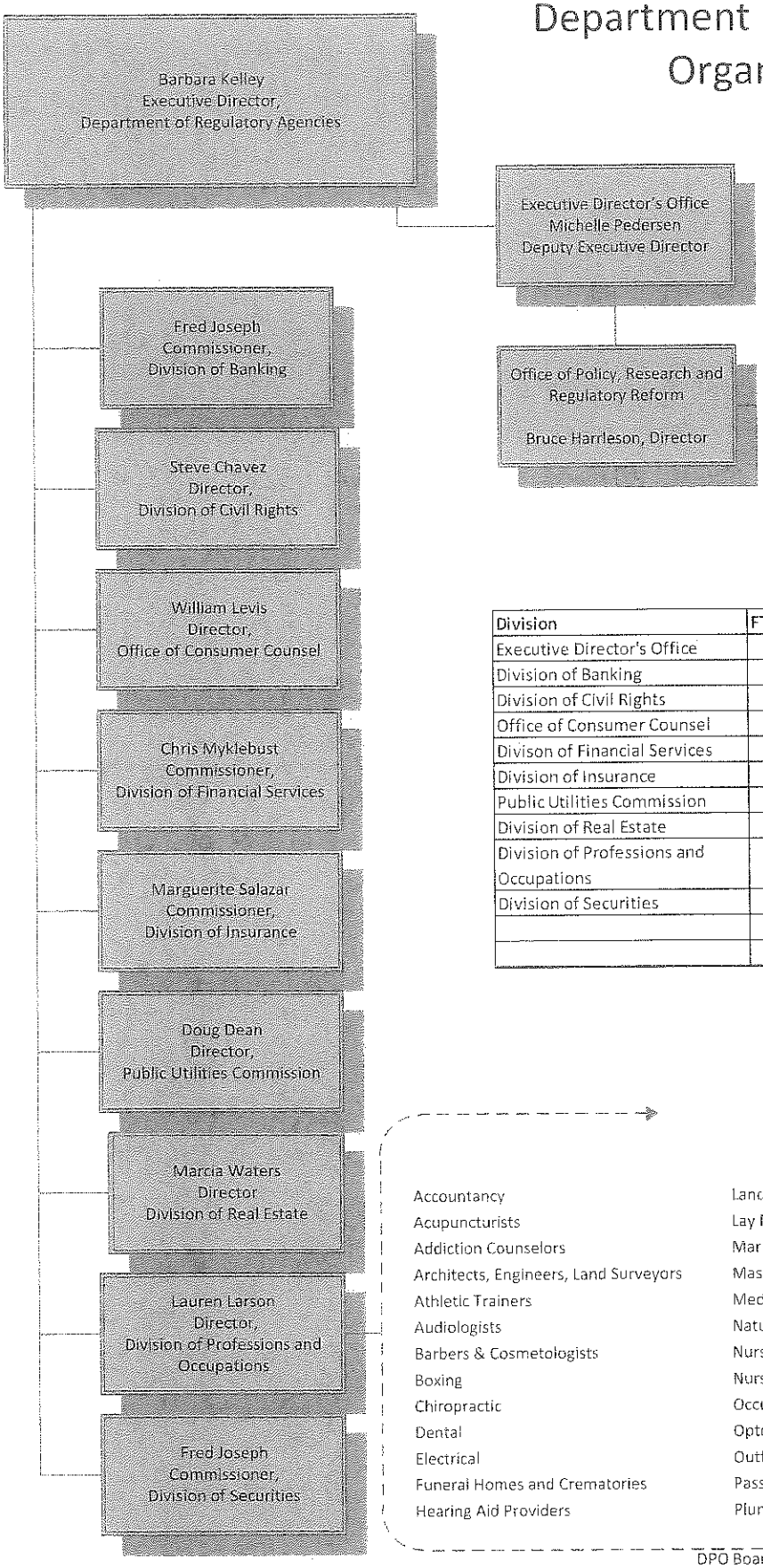
July 1, 2015 Goals:

1. DORA's Communications and outreach strategies are enhanced and expanded.
   - Content of communications strive to mirror the Department's performance plan, highlighting the brand, core purpose, mission and breadth of resources we provide as one department, tailored to be customer centric.
2. Vigorous efforts, including additional outreach information, tangible compliance assistance tools, and opportunities for training and face-to-face interaction are expanded, to educate the regulatory communities to help business and industries comply with regulatory requirements.
   - A comprehensive needs assessment and/or broader identification of entities who would benefit from targeted education/training is conducted.
   - A focus on common practice deficiencies or business practices; trends in disciplinary action imposed for non-compliance with practice acts; and patterns in documentation/recordkeeping errors or omissions are identified.
   - A pro-active and educational theme is established, focusing on minimizing risk and likelihood of complaints.
   - Critical, "high risk" or "high priority" consumer and consumer protection regulatory issues are identified, to focus DORA in addressing and providing timely resources to expand our impact
3. A broader consumer base is reached, and provides awareness and education materials on timely matters including consumer choices, how to avoid scams, fraud, and wrongdoing.
4. Opportunities to represent the department as a unified face (versus division-by-division) in education, awareness and outreach programs and materials are identified, created and leveraged including awareness campaigns, electronic publications, enhanced use of technology and social media, public information events and media coverage.

July 1, 2017 Goals:

1. DORA is recognized as the authoritative source for those pursuing information about regulation and consumer protection in Colorado.
2. DORA offers training is offered to regulated entities, targeted at pro-active education purposes to minimize risk and reduce likelihood of complaints and reduce the need for investigations and administrative discipline.
3. Training/education programs are offered to regulated entities, businesses and consumers by DORA, to address common practice deficiencies, trends in disciplinary action imposed for non-compliance with practice acts, patterns in documentation/recordkeeping errors or omissions.
4. Communications/Training campaigns are established to provide pro-active education on high priority or high risk consumer protection issues, utilizing a variety of outlets, mechanisms and tools.

Department of Regulatory Agencies Organizational Chart



Division	FTE	Personal Service Allocation
Executive Director's Office	29.5	$27,680,160
Division of Banking	40.0	$4,396,128
Division of Civil Rights	27.0	$1,755,833
Office of Consumer Counsel	7.0	$901,856
Divison of Financial Services	13.0	$1,394,679
Division of Insurance	85.0	$7,374,287
Public Utilities Commission	95.0	$13,232,744
Division of Real Estate	52.4	$4,493,978
Division of Professions and Occupations	199.8	$16,674,882
Division of Securities	24.0	$3,280,135
	572.7	$81,184,682

REGULATORY AGENDA

COLORADO

Department of
Regulatory Agencies

2015 Departmental Regulatory Agenda
Submitted November 1, 2014

COLORADO
Department of Regulatory Agencies

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Division of Banking					
Banking	CB 101.52 - Risk -based Capital Definitions and Adequacy	11-103-201, C.R.S.	Amend rules to address minimum capital requirements and risk-based capital to conform to the federal banking agencies.	Spring, 2015	State and Nationally chartered banks
Banking	Programs subject to additional/final Dodd-Frank requirements	11-101-101 through 11-109-907, C.R.S.	Revise Division rules when comparable federal rules are promulgated by the federal bank regulators, pursuant to the Dodd-Frank Act.	Summer, 2015	State chartered banks, money transmitters, trust departments and trust companies

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Division of Insurance (DOI)					
Insurance -- Compliance	Revision to Reg. 1-1-3 -- Concerning Rules Governing the Filing of Declaratory Judgment Petitions with the Colorado Insurance Commissioner	CRS 10-1-109 and 24-4-105(11)	Update regulation and process	Winter, 2014	Public -- positive affect -- clearer processes for request for declaratory orders
Insurance -- Producer Licensing	Revision to Reg. 1-2-1 -- Concerning Agent Fiduciary Responsibilities	CRS 10-1-109, 10-2-104, 10-2-704, 10-3-1110, and 15-1-101 et seq.	Update regulation	Summer, 2015	Insurance Producers and Agencies
Insurance -- Producer Licensing and Corporate Affairs	Revision to Reg. 1-2-6 -- Concerning Reinsurance Intermediaries	CRS 10-1-109, 10-2-104, 10-2-912, 10-2-1101	Update regulation - may not need substantive changes but updating for format.	Summer, 2015	Producers and agencies which solicit, negotiate, or place reinsurance cessions or retroactive cessions on behalf of a ceding insurer [10-2-902, C.R.S.)
Insurance -- Life and Health Consumer Affairs and Producer Licensing	Revision to Reg. 1-2-17 -- Concerning Standard Compensation Disclosure for Health Insurance Producers	CRS 10-1-109,10-16-133	Update regulation	Spring, 2015	Consumers- including small business health insurance producers

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Licensing and Investigations	Revision to Reg. 1-2-18 -- Use of Senior-Specific Certification and Professional Designations in the Sale of Life Insurance and Annuities	CRS 10-1-109, 10-3-1110, 10-3-1104, and 10-3-1110	Update regulation; incorporate most recent NAIC standards and requirements	Spring, 2015	Consumers - including, in particular, senior citizens and insurance producers
Insurance -- Corporate Affairs	Revision to Reg. 2-1-9 -- Concerning the Licensure of Limited Services Licensed Provider Networks	CRS 10-1-109, 6-18-302(1)(b), 10-1-108(13)(a), 10-16-109	Update regulation; address issues brought by HCPF with Medicaid licensure requirements for providers and provider entities	Summer, 2015	Health providers, health insurance companies, Medicaid Program
Insurance -- Property and Casualty Consumer Affairs	Revision to Reg. 2-1-10 -- Concerning Motor Vehicle Self- Insurance	CRS 10-1-109, 42-7-501, 10-4-601.5,	Update regulation	Summer, 2015	Owners of fleet vehicles
Insurance -- Financial Affairs and Financial Exams	Revision to Reg. 3-1-1 -- Concerning Fidelity Bond Requirements	CRS 10-1-109, 10-6-129, 10-14-505, 10-16-109	Update regulation - ensure standards meet NAIC accreditation requirements	Spring, 2015	Insurance Companies

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Actuarial, and Rates and Forms	Revision to Reg. 3-1-3 -- Concerning Actuarial Opinions	CRS 10-1-109, 10-5-117, 10-6-129, 10-16-109	Update regulation - ensure standards meet NAIC accreditation requirements and address issues which have arisen in rate filings	Fall, 2015	Insurance Companies and Actuaries
Insurance -- Financial Affairs	Revision to Reg. 3-1-4 -- Concerning Annual Audited Financial Reports	CRS 10-1-109, 10-1-203, 10-3-109, 10-3-118, 10-3-208, 10-5-117, 10-6-114, 10-6-129. 10-14-505, 10-16-109,10-16-111, 8-45-112	Update regulation - ensure standards meet NAIC accreditation requirements	Fall, 2015	Insurance Companies and CPAs
Insurance -- Actuarial	Revision to Reg. 3-1-8 -- Concerning Actuarial Opinions and Memorandums for Life Companies	CRS 10-1-108(7), 10-1-109, 10-7-114. 10-14-505	Update regulation - ensure standards meet NAIC accreditation requirements	Fall, 2015	Life Insurance Companies and Actuaries

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Financial Affairs	Revision to Reg. 3-1-13 -- Disclosure of Material Transactions	CRS 10-1-109, 10-6-114, 10-6-129, 10-14-505, 10-16-109	Update regulation - ensure standards meet NAIC accreditation requirements	Fall, 2015	Domestic (CO) insurance companies, risk retention groups, fraternal benefit societies
Insurance -- Financial Affairs	Revision to Reg. 3-1-16 -- Custodial Agreements and Use of Clearing Corporations	CRS 10-1-109, 10-3-1203(2), 10-6-129, 10-14-505, 10-16-109	Update regulation - ensure standards meet NAIC accreditation requirements	Fall, 2015	Domestic (CO) insurance companies, risk retention groups, fraternal benefit societies, HMO's, Pinnacol, pre-paid dental carriers
Insurance -- Financial Affairs	Revision to Reg. 3-2-4 -- Concerning Participation Loans	CRS 10-1-109, 10-6-129, 10-14-505, 10-16-109, 10-16-109	Update regulation - ensure standards meet NAIC accreditation requirements	Fall, 2015	Domestic (CO) insurance companies, risk retention groups, fraternal benefit societies, HMO's, med-surgical and health service corporations
Insurance -- Financial Affairs	Revision to Reg. 3-3-3 -- Concerning Credit for Reinsurance	CRS 10-1-109, 10-3-118(6), 10-3-529(4), 10-6-129, 10-14-505, 10-16-109	Update regulation - ensure standards meet NAIC accreditation requirements	Nov., 2014	All Domestic (CO) Insurance companies

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Financial Affairs	Revision to Reg. 3-3-4 -- Concerning Life and Health Reinsurance Agreements	CRS 10-1-109, 10-3-118(6), 10-3-529(4), 10-3-1110, 10-6-129, 10-14-505, 10-16-109	Update regulation - ensure standards meet NAIC accreditation requirements	Fall, 2015	Domestic (CO) Life Insurance Companies, HMO's, fraternal health insurers, property and casualty insurers (with regard to their health offerings)
Insurance -- Financial Affairs	Revision to Reg. 3-3-5 -- Concerning Property and Casualty Reinsurance Programs	CRS 10-1-109, 10-3-118(6), 10-3-529(4), 10-6-129, 8-44-205, 24-10-115.5, 24-10-115.5, 29-13-102	Update regulation - ensure standards meet NAIC accreditation requirements	Fall, 2015	Domestic (CO) property and casualty insurers, title insurers, captive insurers, Pinnacol, and self-insured pools
Insurance -- Financial Affairs	Revision to Reg. 3-4-1 -- Concerning the Holding Company System	CRS 10-1-109, 10-3-808	Update regulation - ensure consistency with NAIC model regulations.	Nov., 2014	Domestic (CO) insurers, including captives, fraternal benefit societies, HMOs, pre-paid dental organizations, non-profit hospital and medical insurers, title insurers

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Title	Substantial revision to Reg. 3-5-1 including separating the single regulation into 5 separate regulations: Rate and Fee Filing, Consumer Protections, Fiduciary Standards, Standards of Conduct, Licensing,	CRS 10-1-109, 10-2-104, 10-4-404, 10-11-118, 10-11-124, 10- 11-102, 10-2-401, 38-35-125,10-4-403, 10-11-108, 10-11-116, 10-11-106, 10-3-1108 and federal law.	Separate discrete issues into stand-alone regulations and update regulation	Summer, 2015	Title producers and companies
Insurance -- Title	Revision to Reg. 3-5-2 -- Concerning Title Insurer Assessment	CRS 110-1-109, 10-3-207, 10-11-102 and 10-3-1108	Update regulation	Summer, 2015	Title producers and companies
Insurance -- Actuarial and Life, Accident and Health Consumer Affairs	Revision to Reg. 4-1-1 -- Concerning Variable Annuity Contracts	CRS 10-1-109, 10-7-405(1)	Update regulation - to ensure consistency with NAIC model statutes, regulations, and requirements.	Summer, 2015	Life insurers and fraternal benefit societies. May involve Division of Securities to the extent it overlaps with their requirements.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Actuarial and Life and Health Consumer Affairs	Revision to Reg. 4-1-3 -- Concerning Variable Life Insurance	CRS 10-1-109, 10-7-405(1)	Update regulation - ensure consistency with NAIC model statutes and regulations.	Summer, 2015	Life insurers and fraternal benefit societies.
Insurance -- Actuarial	Revision to Reg. 4-1-5 -- Permitting Same Minimum Nonforfeiture Standards for Men and Women under 1980 CSO and 1980 CET Mortality Tables	CRS 10-1-109, 10-7-305.1(8)(f)	Update regulation to ensure consistency with NAIC model statutes and regulations.	Fall, 2015	Life insurers and fraternal benefit societies.
Insurance -- Actuarial	Revision to Reg. 4-1-6 -- Concerning Reserve Liabilities and Nonforfeiture Benefits	CRS 10-1-109, 10-7-305.1(8)(f), 10-7-309(1)(a)(III)	Update regulation to ensure consistency with NAIC model statutes and regulations.	Fall, 2015	Life insurers and fraternal benefit societies.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Actuarial	Revision to Reg. 4-1-7 -- Recognizing a New Annuity Mortality Table for Use in Determining Liabilities for Annuities	CRS 10-1-109, 10-7-309(2)(a)	Update regulation to ensure consistency with NAIC model statutes and regulations.	Fall, 2015	Life insurers and fraternal benefit societies.
Insurance -- Actuarial and Life and Health Consumer Affairs	Revision to Reg. 4-1-8 -- Concerning the Disclosure Requirements for Life Insurance Illustrations	CRS 10-1-109, 10-3-1110(1)	Update regulation to ensure consistency with NAIC model statutes and regulations.	Fall, 2015	Life insurers
Insurance - Actuarial	Revision to Reg. 4-1-9 -- Concerning Valuation of Life Insurance Policies Model Regulation (Including the Introduction and Use of New Select Mortality Factors)	CRS 10-1-109, 10-7-313.7	Update regulation to ensure consistency with NAIC model statutes and regulations.	Fall, 2015	Life insurers and fraternal benefit societies.
Insurance -- Actuarial	Revision to Reg. 4-1-10 -- Concerning Recognition of the 2001 CSO Mortality Table	CRS 10-1-109, 10-7-305.1(8)(f), 10-7-309(1)(a)(III)	Update regulation	Fall, 2015	Life insurers and fraternal benefit societies.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Actuarial	Revision to Reg. 4-1-13 -- Concerning Minimum Reserve Liabilities	CRS 10-1-109, 10-7-309(1)(a)(III)	Update regulation	Fall, 2015	Life insurers and fraternal benefit societies.
Insurance -- Life and Health Consumer Affairs	Revision to Reg. 4-2-6 – Concerning the definition of the Term "Complications of Pregnancy" for Use in Accident and Health Insurance Contracts and Certificates	CRS 10-1-109, 10-16-104(2), 10-16-109, 10-3-1110	Update regulation	Summer, 2015	Health Insurers and HMOs
Insurance -- Life and Health Rates and Forms and Consumer Affairs	Revision to Reg. 4-2-42 -- Concerning Essential Health Benefits	CRS 10-1-109, 10-16-103.4, 10-16-109	Update regulation to address federal requirements and changes to Essential Health Benefit package. Update to current federal requirements and anticipated requirements for 2016 plans being filed in mid 2015.	Spring, 2015	Health insurers , HMOs, consumers and medical service providers

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Life and Health Rates and Forms and Consumer Affairs	New Reg. 4-2-52 -- Concerning Insurer Special Fee Assessments for the Colorado Health Benefit Exchange	CRS 10-1-109, 10-22-109(3)	New reg to establish process for assessment and collection of fees for Connect for Health CO. Follows repeal of similar assessment for Cover Colorado.	November, 2014	Health insurers, HMOs, excess (stop) loss carriers, small and large self funded employers
Insurance -- Life and Health Consumers Affairs	New Reg. -- Wellness Programs	CRS 10-1-109, 10-16-136	New regulation to establish requirements for wellness programs offered in conjunction with health benefit plans. To establish parameters and requirements for wellness programs. Anticipate consumer support.	Winter, 2014	Health insurers, wellness providers, consumers

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Life and Health Rates and Forms	Revision to Reg. 4-3-1 -- Concerning Minimum Standards for Medicare Supplement Policies	CRS 10-1-108(8), 10-1-109 and Article 18 of Title 10	Update regulation to current federal requirements.	Spring, 2015	Medicare Supplement Carriers
Insurance -- Property and Casualty Rates and Forms	Revision to Reg. 5-1-10 -- Concerning Rate and Rule Filing Submission Requirements for Property and Casualty	CRS 10-1-109,10-3-1110, 10-4-110.7, 10-4-404, 10-4-404.5 and 10-11-118	Establish requirements for rate and rule filings for property and casualty insurance and potential remove reference to title insurance to be handled under revisions to Reg. 3-5-1.	Spring, 2015	Property and Casualty Carriers

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Property and Casualty Consumer Affairs	Possible Repeal of Reg. 5-2-9 -- Concerning Personal Injury Protection Examination Program	CRS 10-1-109, 10-4-706(6)(a) [2002]	Possible repeal. Statute under which program was established and operated repealed in 2003. However, because statute conferred a "right" to the process for injured persons, we have been operating the program until the substantial majority of claimants have reached the end of benefits. There are, however a few persons who may have lifetime benefits who could still avail themselves of the program. However, we have not had an inquiry about the program in a year.	Summer, 2015	Private passenger automobile insurance carriers - Possible opposition from some (very limited number) of claimants who had lifetime benefits.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Property and Casualty Consumer Affairs	New Reg. 5-2-17 -- Concerning Private Passenger Automobile Coverage Limitations	CRS 10-1-109, 10-4-601(5)	New regulation to incorporate Division interpretations and judicial decisions	Winter, 2015	Private passenger auto carriers, and some consumer organizations.
Insurance -- Property and Casualty Rates and Forms and Consumer Affairs	Revision to Reg. 6-1-1 -- Concerning Limiting Coverage	CRS 10-1-108(8), 10-1-109	Proposed Reg. 5-2-17 addresses some of the issues in Reg. 6-1-1. May be able to repeal this regulation.	Summer, 2015	Property and Casualty Carriers
Insurance -- Market Regulation, Investigations and Licensing	Revision to Reg. 6-3-2 -- Concerning the Use of Independent Contractors for Informal Investigations and Appeal Process for Expenses	CRS 10-1-109, 10-1-208, 24-4-106	Update regulation	Summer, 2015	Insurance carriers of all types, producers
Insurance -- Compliance	Revision to Reg. 6-4-1 -- Concerning Privacy of Consumer Financial and Health Information	CRS 10-1-109, 10-5-117, 10-16-109, 10-16-401(4)(o)	Update regulation to current federal requirements and NAIC model standards	Winter, 2014.	Insurance carriers of all types and consumers

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance -- Compliance	Revision to Reg. 6-4-2 -- Concerning Standards for Safeguarding Customer Information	CRS 10-1-109, 10-16-109, 10-16-401(4)(o)	Update regulation to current federal requirements and NAIC model standards	Winter, 2014.	Insurance carriers of all types and consumers
Insurance -- Licensing and Investigations	New Bail Bond Regulation on Forms	CRS 10-1-109, 10-2-705	New regulation setting out information required for bail bond forms required in a bail bond transaction.	Winter, 2014.	Bail Bond companies and bondsmen

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Division of Professions and Occupations					
Office of Acupuncture Licensure	Addition of any rules required to implement the 2013 acupuncture Sunset legislation	12-29.5-110(1)(a), C.R.S.	To implement the 2013 acupuncture Sunset legislation regarding administrative updates	Fall 2015	Consumers, applicants and licensed acupuncturists.
Office of Acupuncture Licensure	Board Rules 1, 2, 3, 4, 5, 6, 7, and 8.	12-29.5-110(1)(a), C.R.S.	Review Rules for grammar, accuracy, clarity and consistency in structure.	Fall 2015	Consumers, applicants and licensed acupuncturists.
Surgical Assistants/Technologist Registration Program	New rules concerning LOAs and LOCs	12.35.5-112(9)	Consistency with other programs, fair discipline	Spring 2015	Registered Surgical Assistants/Technologists
Naturopathic Doctor Registration Program	New rule regarding continued competency	12-37.3-108(1)(b) C.R.S.	Statute requires adoption of a rule regarding continued competency	Spring 2015	Naturopathic Doctors

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Naturopathic Doctor Registration Program	New rule regarding the definition of natural health care and services	12-37.3-102(9) C.R.S	To clarify the definition of natural health care and services	Spring 2015	Naturopathic Doctors, Physicians, Nursing, Naturopaths, other healthcare providers
Naturopathic Doctor Registration Program	New rule regarding mandatory disclosures when caring for a child	12-37.3-105(2)(f) C.R.S.	To clarify mandatory disclosures when caring for a child	Spring 2015	Naturopathic Doctors
Naturopathic Doctor Registration Program	New rule regarding title protection	12-37.3-110(2) C.R.S.	To clarify title protection of Naturopathic Doctors	Spring 2015	Naturopathic Doctors
Pharmacy	Amend Board Rule 4.06.00	12-42.5-101, 12-42.5-105, 12-42.5-106, C.R.S.	To enable to public to identify by at least title every person working in a pharmacy	Fall 2015	Consumers, pharmacists and pharmacies

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Pharmacy	Amend Board Rule 6.00.00	12-42.5-101, 12-42.5-105, 12-42.5-106, C.R.S.	Incorporate advanced practice nurses with prescriptive authority as participants in drug therapy mgmt with pharmacists	Fall 2015	Consumers, pharmacists and nurse practitioners
Pharmacy	Amend Board Rule 12.00.00	12-42.5-101, 12-42.5-105, 12-42.5-106, C.R.S.	To exclude nuclear pharmacies from various provisions of Rule 21.00.00 governing compounding to meet current federal standards	Fall 2015	Nuclear pharmacies

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Pharmacy	Amend Board Rule 21.00.00	12-42.5-101, 12-42.5-105, 12-42.5-106, C.R.S.	To exclude nuclear pharmacies from various provisions of Rule 21.00.00 governing compounding to meet current federal standards	Fall 2015	Nuclear pharmacies
Office of Private Investigator Licensing	New rules establishing new program of mandatory licensing for Colorado Private Investigators	12-58.5-108(2)(a)	Establish new director-model program for licensing of Colorado Private Investigators	Early 2015	Private Investigators

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Colorado Podiatry Board	Board Rules 100, 110, 120, 130, 135, 140, 150, 200, 220, 230, 240, 280, 290, 400 and 700.	12-32-104(1)(a), C.R.S.	Review Rules for grammar, accuracy, clarity and consistency in structure. To also move all rules into one CCR. Currently each Rules exists in its own CCR: 3 CCR: 712-1, 712-2, 712-3, 712-4, 712-10, 712-15, 712-5, 712-6, 712-11, 712-12, 712-13, 712-8, and 712-9.	Fall 2015	Consumers, applicants, podiatrists and residents or fellows training in approved residency programs.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Colorado Medical Board	Board Rules 100, 110, 120, 130, 140, 200, 210,220, 260, 270, 280,285, 290,295, 300, 370, 380, 400, 410, 510, 520, 800, 900, 950	12-36-104(1)(a) and 24-4-103, C.R.S.	Open all Rules to move to one CCR. Currently each Rule is assigned its own CCR (for example Rule 100 is 3 CCR 713-17, Rule 120 is 3 CCR 713-22). While open, will review each rule for grammar, currency, accuracy, statutory precision, clarity and consistency in structure.	Summer 2015	Consumers, licensee, and employers.
Colorado Medical Board	Potential new rule	12-36-104(1)(a) and 24-4-103, C.R.S.	Address and clarify the practice of telehealth in Colorado	Summer 2015	Consumers, licensee, and employers.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Office of Speech Language Pathology	Amend Board Rule 6	§ 12-43.7-106(2) and (4), C.R.S.	Address and clarify professional liability coverage requirements for public employees under the Colorado Ogvernmental Immunity Act. 24-10-101, C.R.S., et. seq.	Spring 2015	Consumers, and licensees
State Board of Nursing	Amend Board Rule Chapter 14	12-38-108(1)(d) and (j), 12-38-111.5, and 12-38-111.8, C.R.S.	To clarify competence requirements for reinstatement and endorsement.	Fall 2015 or early 2016	Consumers, licensee, and employers.
State Board of Nursing	Amend Board Rule Chapter 1	12-38-108(1)(b),(c) and (j); 12-38-110; 12-38-111; 12-38-112; 12-38-112.5; and 12-38-118, C.R.S.	To clarify continued competence requirements for endorsement, reinstatement, and reactivation.	Summer or Fall 2015	Consumers, licensee, and employers.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
State Board of Nursing	Amend Board Rule Chapter 15	12-38-108(1)(j) and 12-38-111.6, C.R.S	Clean up rule title to be consistent, and to provide military and federal practice exemption for preceptor/mentor practice and endorsement routes.	Fall 2015 or early 2016	Consumers, licensee, and employers.
State Board of Nursing	Amend Board Rule Chapter 15	12-38-108(1)(j) and 12-38-111.6, C.R.S	Add scope section similar to Chapter 14 section 4	Fall 2015 or early 2016	Licensees and employers.
State Board of Nursing	Amend Board Rule Chapter 15	12-38-108(1)(j) and 12-38-111.6, C.R.S	Add section related to purchase and possession of schedule 2-5 narcotics	Fall 2015 or early 2016	Licensees and employers.
State Board of Nursing	Amend Board Rule Chapter 15	12-38-108(1)(j) and 12-38-111.6, C.R.S	Add section related to independent practice similar to Chapter 14 section 1.9	Fall 2015 or early 2016	Licensees and employers.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
State Board of Nursing	Amend Board Rule Chapter 15	12-38-108(1)(j) and 12-38-111.6, C.R.S	To clarify competence requirements for reinstatement and endorsement.	Fall 2015 or early 2016	Consumers, licensee, and employers.
Office of Athletic Trainer Registration	New rule regarding definition of "health care professional"	12-29.7-103, C.R.S.	To clarify statutory reference to this term, or otherwise further implement statute; and to standardize common terminology referenced in Athletic Trainers Practice Act.	Fall 2015	Consumers, athletic trainer registrants and applicants
Office of Massage Therapy Registration	Formatting change to Rule 5	12-35.5-108, 24-34-102(8)(d), and 24-34-105 , C.R.S.	Formatting change	Early 2015	Consumers, licensed massage therapists
Office of Massage Therapy Registration	Consider revising Rule 7 The Authorized Practice of Massage Therapy by a Person Not Licensed in Colorado	12-35.5-110(10(c)(IV) , C.R.S.	Clarification regarding administrative process	Early 2015	Massage therapist applicants

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Office of Massage Therapy Registration	Consider revising Rule 9 Reporting Convictions, Judgments and Administrative Proceedings	12-35.5-111 (1)(i),(j), (m), and (n), C.R.S.	Clarification regarding reporting requirements.	Early 2015	Licensed massage therapists
Colorado Board of Chiropractic Examiners	Consider revising Rule 20 Termination of Practice upon Suspension, Relinquishment or Revocation	12-33-107(1)(a), C.R.S.	To address what to do if a chiropractor closes a practice or passes away	Early 2015	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Consider revising Rule 13 Advertisement of Free or Discounted Services	12-33-107(1)(a), C.R.S. and 12-33-117(3)(a), C.R.S.	To address pre-pay contracts vs. contracts in general-when patients should be released from these agreements	Early 2015	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Consider revising Rule 6 Patient Assessment and Electrotherapy/Physical Remedial Measures	12-33-107(1)(a), C.R.S. and 12-33-102(1) and (3), C.R.S.	Clarification on authority requirements for physiotherapy vs. electrotherapy	Early 2015	Consumers, licensed chiropractors

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Colorado Board of Chiropractic Examiners	Consider revising Rule 8 Continuing Education	12-33-116, C.R.S.	Consider requiring certain continuing education hours be completed through specific organizations, and consider adding a requirement for a certain amount of CE hours to include a course in regulatory education	Early 2015	Consumers, licensed chiropractors, continuing education providers
Colorado Board of Chiropractic Examiners	Consider revising Rule 7 Scope of Practice and/or possible addition of a new rule	12-33-107(1)(a), C.R.S.	Consider revisions to current Rule 7 and/or addition of a new rule to further clarify/limit the scope of practice for chiropractors.	Early 2015	Consumers, licensed chiropractors

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Office of Occupation Therapy Licensure	Revision to Rules 1-11 to include renumbering and combining some existing rules. Addition of rule for continuing competency, record-keeping, address change requirement, creation of rule for inactive status, and liability insurance.	12-40.5-112, 12-40.5-109.3, 12-10.5-114.7, C.R.S.	Current rules 1-4 can be combined into one rule as rule 10 for OTAs. The requirement for liability insurance in statute states that a rule must also be established. There are currently no rules to establish any requirements for record keeping or for OTs and OTAs to update their names and/or addresses by any specific time.	Early 2015	Consumers, licensees

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Board of Licensed Professional Counselor Examiners	Clean-up of statutory citations in all rules Revision to rule 18, 14 and creation of rule for auricular acudetox	12-43-221(2), 12-43-228.5, 12-43-605, C.R.S.	Rule 18 outlines the requirements for continuing professional competence. Clarification of the rule is necessary to establish that volunteer hours are not acceptable for license reinstatement. Rule 14 outlines licensure and supervision requirements. The board was interested in changing the supervised hour requirements necessary for licensure. Establish a rule for auricular acudetox	Spring 2015	Applicants, consumers, licensees

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Board of Psychologist Examiners	Clean-up of statutory citations in all rules Revision to rule 14 and creation of rule for auricular acudetox	12-43-221(2), 12-43-228.5, 12-43-605, C.R.S.	Rule 14 outlines licensure and supervision requirements. The board was interested in changing the supervised hour requirements necessary for licensure. Establish a rule for auricular acudetox	Spring 2015	Applicants, consumers, licensees

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Board of Social Work Examiners	Clean-up of statutory citations in all rules Revision to rule 18, 14 and creation of rule for auricular acudetox	12-43-221(2), 12-43-228.5, 12-43-404, C.R.S.	Rule 18 outlines the requirements for continuing professional competence. Clarification of the rule to establish that volunteer hours are not acceptable for license reinstatement. Clarify Rule 14 that outlines licensure and supervision requirements. Establish a rule for auricular acudetox.	Spring 2015	Applicants, consumers, licensees

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Board of Marriage and Family Therapist Examiners	Clean-up of statutory citations in all rules Revision to rule 18, 14 and creation of rule for auricular acudetox	12-43-221(2), 12-43-228.5, 12-43-504, C.R.S.	Rule 18 outlines the requirements for continuing professional competence. Clarification of the rule is necessary to establish that volunteer hours are not acceptable for license reinstatement. Rule 14 outlines licensure and supervision requirements and needs to be clarified. Establish a rule for auricular acudetox	Spring 2015	Applicants, consumers, licensees

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Board of Addiction Counselor Examiners	Clean-up of statutory citations in all rules. Revision to 18, 14 and create rule for auricular acudetox	12-43-221(2), 12-43-228.5, 12-43-804, C.R.S.	Rule 18 outlines the requirements for continuing professional competence. Clarification of the rule is necessary to establish that volunteer hours are not acceptable for license reinstatement. Rule 14 outlines licensure and supervision requirements and needs to be clarified. Establish a rule for auricular acudetox	Spring 2015	Applicants, consumers, licensees, OBH

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Board of Registered Psychotherapists	Clean-up of statutory citations in all rules	12-43-221(2), C.R.S.	Clean up of statutory citations.	Spring 2015	Applicants, consumers, licensees
Colorado Dental Board	Rule I concerning definitions, Rule II concerning Financial Responsibility Exemptions, Rule III concerning licensure requirements, Rule XI concerning laboratory work orders, Rule XII concerning denture construction by assistants, Rule XIII concerning application of local therapeutic agents, XIV concerning anesthesia, Rule XXIII concerning fining schedule, and Rule XXIV concerning use of lasers.	Section 12-35-107(1)(b), C.R.S.	Amend current rules I, II, III, XI, XII, XIII, and XIV, and create new rules XXIII and XXIV in order to implement HB14-1227 "Dental sunset bill".	Spring 2015	Consumers, applicants, licensed (includes expired, inactive, or retired) dental hygienists, licensed (includes expired, inactive, or retired) dentists, and dental hygienists and dentists not licensed but married to military personnel residing in Colorado.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Colorado Dental Board	Rule XVI concerning infection control.	Section 12-35-107(1)(b), C.R.S.	Amend current infection control rule now that there is a clear ground for discipline pursuant to section 12-35-129(1)(kk), C.R.S., as a result of HB14-1227.	Summer 2015	Consumers, licensed dental hygienists, and licensed dentists.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Colorado Dental Board	Rule IV concerning licensing presentation; Rule V concerning practice in education and research programs; Rule VI concerning treatment provider identification; Rule VII concerning patient records retention; Rule VIII concerning patient records in the custody of a dentist or dental hygienist; Rule IX concerning controlled substance record keeping requirements; Rule X concerning min standards for qualifications, training, and education for unlicensed personnel exposing patients to ionizing radiation; Rule XV concerning pediatric case management, and medical immobilization/protective stabilization; Rule XVII	Section 12-35-107(1)(b), C.R.S.	Review remaining existing rules to determine whether or not they need to be amended, repealed or new rules added based on concerns with effectiveness, and current needs.	Summer 2015	Consumers, licensed dental hygienists, and licensed dentists.

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
	concerning advertising; Rule XVIII concerning protocol for termination of practice upon revocation, relinquishment, or suspension for more than 90 days of dental license; Rule XIX concerning protocol upon suspension of dental license for less than 90 days (summary suspension and suspension of less than 90 days); Rule XX concerning compliance with Board subpoena; Rule XXI concerning declaratory orders; Rule XXII concerning practice monitor consultant guidelines; and potentially new rules to address ethics and prescribing opioids/ registering with Prescription Drug Monitoring Program (PDMP).				

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
State Board of Veterinary Medicine	Rule II concerning licensure requirements, Rule III concerning veterinary medical ethics and code of conduct, and Rule VII concerning fining schedule.	Section 12-64-105(9)(j), C.R.S.	Review these current rules to determine whether or not they need to be amended based on concerns with effectiveness, and current needs.	Summer 2015	Consumers and licensed veterinarians.

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
State Physical Therapy Board	Rule 201 concerning delegation of duties, Rule 204 concerning authorized practice of physical therapy by a person not licensed in Colorado, Rule 205 concerning licensing of non-accredited graduate physical therapist applicants, Rule 206 concerning licensure by endorsement for physical therapists, Rule 212 concerning inactive license status for physical therapists, Rule 303 concerning certification of foreign-trained physical therapist assistant graduates of non-accredited program, Rule 304 concerning certification by endorsement for physical therapist assistants, and Rule 305 concerning reinstatement of an expired certification for physical therapist assistants.	Section 12-41-103.6(2)(b), C.R.S.	Amend rules 201, 204, 205, 206, 212, 303, 304, and 305 based on current needs.	Spring 2015	Consumers, applicants, licensees, and certificate holders.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
State Physical Therapy Board	Rule 101 concerning licensure and certification requirements: credit for military experience; Rule 102 concerning approved examinations for licensing; Rule 209 concerning declaratory orders; Rule 210 concerning requirements for physical therapists to perform physical therapy on animals; Rule 214 concerning reporting criminal convictions, judgments, and administrative proceedings; Rule 301 concerning supervision required for physical therapist assistant practice; and Rule 302 concerning supervision of physical therapist assistants of others prohibited.	Section 12-41-103.6(2)(b), C.R.S.	Amend rules 101, 102, 209, 210, 214, 301, and 302 based on current needs.	Summer 2015	Consumers, applicants, licensees, certificate holders, and physical therapists and physical therapist's assistants not licensed but married to military personnel residing in Colorado.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Office of Hearing Aid Provider Licensure	Rule 1 concerning original licensure; Rule 2 concerning licensure by endorsement; Rule 3 concerning hearing aid provider trainees, apprentices, and associations; and Rule 4 concerning requirement for reinstatement.	Section 12-5.5-301(4), C.R.S.	Amend rules 1, 2, 3, and 4 to clarify section 12-5.5-202(1)(b), C.R.S, as it relates to issuing or denying a license within 60 days after the date the application is received.	Summer 2015	Applicants for licensure.
Office of Outfitters Registration	Amend/implement rules impacted by sunset legislation in 2014.	12-55.5-104(1)(a), C.R.S.	Rulemaking efforts have begun and will continue through 2015.	Early 2015	Consumers, licensees, Federal and State land permitting agencies, and the professional association
Office of Barber and Cosmetologist	Amend/implement rules impacted by sunset legislation in 2014.	12-8-108(1)(a), C.R.S.	The sunset bill is scheduled to be heard during the 2015 legislative session.	Fall 2015/Winter 2016	Consumers, licensees, public and private schools

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Office of Funeral Homes & Crematories	amend/implement rules based on the 2015 sunset review process	12-54-410, C.R.S.	This program is scheduled for sunset review during the 2015 legislative session	Summer/Fall 2015	
State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	Revise rules in accordance with any changes in past sunset legislation	12-25-107(a) and (b),12-25-207(a),12-25-307(a) , C.R.S.	Revise rules in accordance with any changes in sunset legislation regarding address changes, responsible control, malpractice reporting, seal attributes, and duplicate wording.	Early 2015	Consumers, professional engineers, engineer interns, professional land surveyors, land surveyor interns, and architects
State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	Consider Revising Board Rule 5.1 regarding Electronic Signatures	Board Rule 5.1	Address due to licensee questions that may result in clarification in rule	Early 2015	Consumers, professional engineers, engineer interns, professional land surveyors, land surveyor interns, and architects

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
State Board of Licensure for Architects Professional Engineers	New Rule 4.8.2.1 (d) re adoption of ARE™	12-25-314(2)(a), C.R.S.	Adopt the ARE as the exam for ARCs as noted in statute	Early 2015	Consumers, architects
State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	New Rule within Board Rule 4.4	12-25-114, 12-25-214, and 12-25-314, C.R.S.	Consideration of US Residence/Experience requirements for licensure	Early 2015	Consumers, professional engineers, engineer interns, professional land surveyors, land surveyor interns, and architects

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	Various TBD	12-25-112(2)(a)(II), and 12-25-212(2)(a)(iii)	Consider rules revisions/deletions to reduce student EI/LSI application requirements to better align with new 1) testing windows established by the national examination administrator and 2) all other EI/LSI applicants	Early 2015	engineer interns, land surveyor interns
Electrical Board	Amend Existing Rule 2.2	12-23-104(a)	Include physical address to obtain NEC codebooks	Early 2015	Licensed electricians
Electrical Board	Amend Existing Rule 3.0	12-23-104(a)	Remove language describing procedures for late registration of apprentices.	Early 2015	Electrical Contractors, apprentice electricians
Plumbing Board	Amend Existing Rule 2.3	12-58-104(1)(d) and (e)	Include physical address to obtain codebooks.	Early 2015	Licensed Plumbers

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Plumbing Board	Amend Existing Rule 3.1	12-58-104(1)(d) and (e)	Remove language describing procedures for late registration of apprentices.	Early 2015	Plumbing Contractors, apprentice plumbers

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Public Utilities Commission					
Rail/Transit Safety	723-7-7002, 7201, 7203, and 7204 (Revisions)	Changes are necessary due to changes at the federal level.	Changes are needed to comply with similar changes made in the Manual on Uniform Traffic Control Devices. Other changes are to add clarity to processes and to make the rules more consistent with other fixed utility application rules.	Fall 2015	Railroads, railroad corporations, rail fixed guideway systems and those providing transportation by rail, and roadway authorities that have public highway-rail crossings in their jurisdiction.
Telecommunications	723-2 (Revisions and new)	Comprehensive statutory changes to section 40-15, C.R.S. resulting from HB14-1328, 1329, 1330 and 1331.	Modify existing telecom rules to implement new legislation that eliminated, reduced or otherwise redefined PUC oversight of telecom retail and wholesale products, services and related operations and programs.	Summer 2015	All telecom providers, 911 authorities/Public Safety Answering Points, telecom consumers.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Telecommunications	723-2-2130 - 2159 (Revisions and new)	401-15-201, et seq., C.R.S. Comprehensive statutory changes regarding emergency 911 resulting from HB14-1328, 1329, 1330 and 1331 and recent 911 events related to outages, routing diversity, contingency plans, Automatic Location Identification reliability and the need to upgrade to a Next Generation 911 network.	Recent statutory changes involving deregulation of certain technologies/services, 911 impacts from weather related and other disasters, reliability risks to existing 911 network system/vendor changes, and the availability of NG911 technology have created the need to comprehensively review and modify existing rules to ensure ongoing 911 basic emergency service reliability and the ability to upgrade to NG911 statewide.	Summer 2015	Basic Emergency Service Providers, telecom providers (wireline and wireless), 9-1-1 Authorities/Public Safety Answering Points, and citizens that place 9-1-1 communications

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Telecommunications	723-2-2460 - 2499 and 723-2-2840 - 2869 (Revisions and new)	40-15-502(2), C.R.S., update rules for Colorado High Cost Surcharge Mechanism generally for the triennial review and also as a result of the telecom reform pursuant to HB14-1328, 1329, 1330 and 1331.	Currently there is an on-going proceeding set to investigate and solicit comments regarding necessary changes to the high cost fund rules. When this proceeding is finished this rulemaking will include those proposed changes as well as changes needed to implement to transfer of funds no longer needed for support of voice services to the newly created broadband fund.	Winter 2015	All telecom providers of voice and broadband services and consumers of those products.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Electricity	723-3-3650 - 3668 (Revisions)	Changes are necessary due to on-going input from both the utilities and the solar community and the need for a consistent treatment of benefits and costs.	Changes are needed to the Renewable Energy Standard (RES) rules, including provisions governing net metering, cost recovery, the determination of the retail rate impact RES compliance plan filings and interconnections of distributed generation.	Fall 2015	Investor-owned electric utilities, customers of electricity, third-party providers of distributed generation (on-site solar).
Electricity and Gas	723-3-3008 and others (Revisions) 723-4-4008 and others (Revisions)	General statutory rulemaking authority.	Update incorporations by reference of federal rules and safety codes. General clean up outdated rules.	Fall 2015	Investor-owned electric and gas utilities.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Transportation	723-6 (New)	HB14-1031 added regulation of tows of vehicles over 10,000 lbs GVWR to the Commission's authority. 40-10.1-403, C.R.S.	HB14-1031 required that a Towing Task Force comprised of nine members be established to advise the PUC regarding rates for the towing of vehicles over 10,000 lbs Gross Vehicle Weight Rating.	Winter 2015	Towing carriers.
Transportation	723-6 (New)	40-10.1-608, C.R.S. creating a new authority for Transportation Network Companies.	This newly created statute requires the PUC to promulgate rules related to the regulation of Transportation Network Companies.	Summer 2015	Transportation Network Companies.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Gas Pipeline Safety	723-4 (Revisions and new)	40-2-155, C.R.S. and the adoption by reference of U.S.DOT Part 192.	Clarify existing Part 192 Distribution Integrity Management Program (DIMP) requirements for small operators; provide alternative form of compliance. Add requirement for owners of master metered or propane gas system to file an annual facility report. Add requirement for jurisdictional pipeline operators to telephonically report over-pressurization and certain outage events.	Fall 2015	Small (master meter and LPG) jurisdictional pipeline operators. All jurisdictional pipeline operators.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Gas Pipeline Safety	723-4 (Revisions)	Adoption of new U.S.DOT PHMSA rules.	Review rules to include new U.S.DOT PHMSA rules (49 C.F.R. Part 196); examine and streamline existing rules to more closely align with PUC practice and procedures.	Winter 2015	All jurisdictional pipeline operators.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Division of Real Estate					
Real Estate/ Real Estate Commission	Licensing, continuing education and practice standard rules - new and revised	12-61-114(4), 12-61-114.5	rule review and revision of broker and subdivision rules, address practice deficiencies	Spring and Winter 2015	Real Estate Brokers, Subdivision Developers
Real Estate/Board of Mortgage Loan Originators	Licensing, continuing education and practice standards	12-61-902.5(2), 12-61-905(10), 12-61-905.1(3),	promulgate new rules and revise existing ones as necessary to implement new federal criteria	Summer and Winter 2015	Mortgage Loan Originators
Real Estate/Community Association Managers	Licensing, continuing education and practice standards	12-61-1002(2)	promulgate new rules necessary to implement HB13-1277	Throughout 2015	Community Association Managers, Homeowner Associations, Homeowners residing within common interest communities
Real Estate/Board of Real Estate Appraisers	Licensing, continuing education and practice standards	12-61-704	revise and promulgate rules as necessary to implement new licensing database and comply with federal criteria	Summer 2015	Real Estate Appraisers

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Division of Securities					
Securities	Include failure to comply with FINRA fair practice and ethical conduct rules as meeting the definition of dishonest and unethical conduct under the Securities Act.	11-51-704, 11-51-410(1)(g)	Coordination of Division Rules with federal standards as is required by the Securities Act and investor protection	November-December 2014	Broker-Dealers and securities sales representatives
Securities	Require each individual licensed as a sales representative and investment adviser representative in this state to provide their current business email address to the Division.	11-51-704, 11-51-410(1)(g)	Enable the Division to communicate electronically with its licensees.	November-December 2014	Securities sales representatives and investment adviser representatives.

BUDGET SUMMARY

FY 2015-16 Budget Request by Division and Funding Source

FY 2015-16 Budget Request	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Executive Director's Office	$30,068,224	29.5	$772,705	$25,153,138	$3,793,409	$348,972
Division of Banking	$4,604,707	40.0	$0	$4,604,707	$0	$0
Civil Rights Division	$2,080,929	27.2	$1,215,863	$0	$361,106	$503,960
Office of Consumer Counsel	$949,129	7.0	$0	$949,129	$0	$0
Division of Financial Services	$1,630,620	15.6	$0	$1,630,620	$0	$0
Division of Insurance	$7,807,753	85.2	$0	$7,255,317	$0	$552,436
Public Utilities Commission	$13,958,149	97.3	$0	$13,940,588	$0	$17,561
Division of Real Estate	$5,027,730	55.9	$0	$5,027,730	$0	$0
Division of Professions and Occupations	$17,668,519	201.9	$0	$17,072,737	$595,782	$0
Division of Securities	$3,495,442	24.0	$0	$3,495,442	$0	$0
FY 2015-16 Total Request	**$87,291,202**	**583.6**	**$1,988,568**	**$79,129,408**	**$4,750,297**	**$1,422,929**
Percent of Total			*2.3%*	*90.6%*	*5.4%*	*1.6%*

Sources of Funding

DORA's budget request for FY 2015-16 is $87.3 million, of which over 96% is cash funded (including cash and reappropriated totals above) from licensing fees and assessments. The Civil Rights Division is the only one in the Department which is funded primarily through statewide general funds.

Funding Priorities

The Department's single budget priority is to reduce the personal services budget for the Division of Professions and Occupations (DPO) by $250,000. Over the past decade, DPO has nearly doubled in size as a result of new legislative requirements to license additional professions. In the face of such growth, the Department and the Division have pursued opportunities to better utilize existing resources and thereby realize greater efficiencies. Various operational improvements have created an opportunity to return a responsible amount of budget authority that will demonstrate the Department's commitment to efficiency without compromising its ability to provide effective services to customers.

LEGISLATIVE PROPOSALS

COLORADO
Department of
Regulatory Agencies

2015 Legislative Agenda Proposals

Title of Proposal: Reduced Requirements for Advanced Practice Nurses to Obtain Independent Prescriptive Authority

Summary of Proposal and Rationale: (see page 2 for 9/19/14 update)
The proposal would amend the Nurse Practice Act to reduce the requirements for an advanced practice nurse (APN) to obtain independent prescriptive authority. This proposal would increase access to primary care services in rural Colorado and other underserved areas where there are projected to be shortages.

Colorado is an outlier among other states in our requirements for APNs to obtain prescriptive authority. APNs are required to get two 1800 hour training periods (1800 hour preceptorship + 1800 hour mentorship = 3600 hour total).

The specific proposal for reducing the requirements is still under development, but later this summer or early fall, the Governor-appointed Nurse-Physician Advisory Task Force for Colorado Healthcare (NPATCH) will issue recommendations. NPATCH is housed within DORA's Division of Professions and Occupations and is comprised equally of physicians and nurses.

Based on nine months' of study and stakeholder input to date, we anticipate NPATCH to make the following recommendations:

Key Changes: (preliminary)

- Eliminate the existing 3600 hour requirement and replace with a 1000 hour requirement.
- Allow APNs to get provisional prescriptive authority upon graduation.
- Allow experienced APNs with prescriptive authority, not just MDs, to collaborate with APNs seeking prescriptive authority.
- Allow collaboration remotely, as long as it is synchronous (e.g., Facetime or phone OK but not email).

DORA anticipates opposition to the proposal, particularly by physician groups that may compete with APNs such as family practitioners. At this time, it is unclear if a consensus could be reached in the broader policy community. Nevertheless, there are compelling policy reasons to pursue the change to address the anticipated primary care workforce shortage. DORA proposes to work closely with the Healthcare Cabinet to ascertain the potential for broader consensus, and also to vet fully the pros and cons of pursuing the change in 2015 vs allowing for a longer policy process.

Note: NPATCH likely will make an additional recommendation to limit liability for collaborating physicians or APNs, but DORA does not recommend adopting this recommendation at this time, given

that the barriers created by liability are less than others addressed in the proposal, and we would anticipate significant opposition from trial lawyers.

Update 9/19/14: This proposal is a placeholder for the ongoing work in progress by NPATCH to evaluate Colorado's requirements for APNs seeking prescriptive authority. Recent progress: In August 2014, NPATCH provided a preliminary draft to stakeholders for comment. Estimated timeline for next steps: Late September -- we anticipate NPATCH to provide a second preliminary draft to stakeholders incorporating ongoing feedback from NPATCH members and stakeholders. Mid October -- we anticipate NPATCH to deliver a final report to Executive Director Kelley following their mid-October meeting.

Note: Although NPATCH is working to strengthen the evidence base of the report, please note that there is limited data available to support the specific recommendations and thus much of the discussion references anecdotal reports and population level data.

Affected Statutes:

12-38-111.6(4.5)(b)(1)(B), C.R.S.

Need to create eligibility for provisional prescriptive authority

Fiscal and Economic (Jobs) Impact:

TBD, however, the proposal would likely lower the cost of healthcare by reducing barriers to practice, workforce shortages, incentives to move out of state, etc. Note that there are barriers to APN independent practice that the proposal would not address, such as the liability issue discussed above, and also payment parity and insurance empanelment issues.

Impact on other Executive Agencies:
HCPF - proposal could help Medicaid recipients seeking primary care providers
CDPHE - proposal could advance objectives of the Primary Care Office for more providers in rural locations
CDHS and other agencies pursuing Colorado's SIM grant - proposal could advance goal of integrating primary care with behavioral health

Potential Supporters:
TBD, including Nursing associations and schools of Nursing.

Potential Opponents:
TBD, likely to include Physicians, particularly some specialty groups that may compete with APNs such as Family Physicians, Doctors of Osteopathy, and Pediatricians.

Potential Sponsors: TBD

Consequences if Denied: TBD, but similar to Fiscal and Economic Impact, healthcare workforce shortage, access to healthcare. Also, note that a bill could be run independently by either the nurses or physicians.

Title of Proposal: Harmonization of the Market Conduct Examination Statutes and placing of Financial Examination requirements into their own section of statute

Summary of Proposal and Rationale: There are currently two regulatory schemes of partially conflicting statutes within part 2 of article 1 of title 10, which regulate Market Conduct Exams ("MCE"). *See* §§ 10-1-203 through 10-1-205, C.R.S., and §§ 10-1-210 through 10-1-212. Having two sets of statutes for MCEs creates confusion within the industry and leads to unnecessary and potentially costly disagreements between the Division of Insurance ("Division") and the insurance industry. As a result, the Division proposes that those two sections of statutes be harmonized resulting in one regulatory scheme for MCEs.

However, §§ 10-1-203 through 10-1-205, C.R.S., also contain the current regulatory scheme for financial examinations. The Division risks losing its accreditation with the National Association of Insurance Commissioners ("NAIC") if the statutes for financial examinations are not in "substantial compliance" with the NAIC model regulation for financial examinations. In order to assure that does not happen, in addition to the harmonization addressed above, the Division proposes separating the financial examination sections of statutes from the MCE sections of statutes.

Key Changes:

- Create separate examination statutes for financial and market conduct examinations:
  - Create a single regulatory scheme for financial examinations, based on the NAIC model, to ensure current financial examination requirements are maintained and accreditation is not lost.
  - Separate market conduct examination requirements and definitions from financial examination requirements to ensure they are not misinterpreted as applying to financial examinations.
- Harmonize the market conduct examination sections of statutes:
  - Bring all market conduct examinations and actions under a single regulatory scheme.
  - Balance components of the authority to conduct market conduct examinations found in §§ 10-1-203 through 10-1-205, C.R.S., with components of the authority for market surveillance found in §§ 10-1-210 through 10-1-212, C.R.S.
  - Update the definitions currently identified within § 10-1-202, C.R.S. to ensure all definitions are appropriate, accurate, clear, and applied consistently throughout the statute.
  - Streamline the statutory requirements related to market analysis procedures and market conduct actions, identified within §§ 10-1-210 and 10-1-211, C.R.S., to better reflect how the Division currently performs these activities.
  - Maintain the subpoena power of the Division found at § 10-1-204(3), C.R.S.

Affected Statutes: §§ 10-1-202 through 10-1-218

Fiscal and Economic (Jobs) Impact: These proposed changes would have a positive fiscal impact on the Division by reducing the confusion and disagreements that are inherent in the current regulatory scheme for MCEs. It would also provide for a more efficient and effective process of conducting MCEs. It could also have a positive economic impact by increasing the efficiency of MCEs, and thereby reducing the cost of those examinations to industry.

Impact on other Executive Agencies: None

Potential Supporters/Opponents:
If regulatory authority is restricted then the insurance industry will support and consumer advocates will oppose. If regulatory authority is increased then the insurance industry will oppose, and the consumer advocates will support. However, at this juncture it is difficult to predict supporters and opponents.

Potential Sponsors: Unknown

Consequences if Denied: Continued problems with conflicting examination requirements and reduced efficiency and effectiveness of MCE. Continued mingling of financial examination requirements with MCE requirement which makes it harder for industry to locate and comply.