

SB061_L.015

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Health and Human Services.

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

SB09-061 be amended as follows:

1 Amend reengrossed bill, page 3, line 25, after "(3)", insert "(a)".

2 Page 4, strike line 14 and substitute the following:

3 "REVIEWED.

4 (b) (I) IF A COLORADO-LICENSED HEALTH CARE PROFESSIONAL
5 WITH";

6 line 19, strike "BY";

7 strike lines 20 through 25 and substitute the following:

8 "(II) NOTWITHSTANDING THE LICENSURE REQUIREMENT IN
9 SECTION 12-36-106 (3) (b), C.R.S., OR ANY SIMILAR LICENSURE
10 REQUIREMENT FOR OTHER HEALTH CARE PROFESSIONALS REGULATED
11 UNDER TITLE 12, C.R.S., A HEALTH CARE PROFESSIONAL LICENSED IN
12 ANOTHER STATE THAT PERFORMS A UTILIZATION REVIEW IN THIS STATE
13 SHALL NOT BE REQUIRED TO OBTAIN LICENSURE IN COLORADO FOR THE
14 PURPOSE OF PERFORMING SUCH UTILIZATION REVIEW. THE APPROPRIATE
15 STATE LICENSING BOARD OF THE STATE IN WHICH THE HEALTH CARE
16 PROFESSIONAL IS LICENSED SHALL CONTINUE TO HAVE JURISDICTION AND
17 DISCIPLINARY AUTHORITY FOR THE CONDUCT OF THE HEALTH CARE
18 PROFESSIONAL PERFORMING UTILIZATION REVIEW IN THIS STATE.

19 (III) NOTHING IN THIS PARAGRAPH (b) SHALL PRECLUDE A



1 COLORADO LICENSING BOARD FROM ISSUING A CEASE-AND-DESIST ORDER
2 OR PURSUING INJUNCTIVE ACTION AGAINST A HEALTH CARE PROFESSIONAL
3 LICENSED IN ANOTHER STATE WHO IS CONDUCTING A UTILIZATION REVIEW
4 IN THIS STATE IF THE APPROPRIATE LICENSING BOARD FINDS THAT THE
5 HEALTH CARE PROFESSIONAL IS ACTING IN A MANNER THAT POSES A
6 THREAT TO THE HEALTH OR SAFETY OF THE PUBLIC IN THIS STATE."

7 Page 5, line 23, after "(b)", insert "(I)".

8 Page 6, strike lines 2 through 7 and substitute the following:

9 "(II) NOTWITHSTANDING THE LICENSURE REQUIREMENT IN
10 SECTION 12-36-106 (3) (b), C.R.S., OR ANY SIMILAR LICENSURE
11 REQUIREMENT FOR OTHER HEALTH CARE PROFESSIONALS REGULATED
12 UNDER TITLE 12, C.R.S., A HEALTH CARE PROFESSIONAL LICENSED IN
13 ANOTHER STATE THAT PERFORMS A REVIEW AND CONSIDERATION OF
14 ELIGIBILITY FOR PAYMENT IN THIS STATE SHALL NOT BE REQUIRED TO
15 OBTAIN LICENSURE IN COLORADO FOR THE PURPOSE OF PERFORMING SUCH
16 REVIEW AND CONSIDERATION. THE APPROPRIATE STATE LICENSING BOARD
17 OF THE STATE IN WHICH THE HEALTH CARE PROFESSIONAL IS LICENSED
18 SHALL CONTINUE TO HAVE JURISDICTION AND DISCIPLINARY AUTHORITY
19 FOR THE CONDUCT OF THE HEALTH CARE PROFESSIONAL PERFORMING THE
20 REVIEW AND CONSIDERATION IN THIS STATE.

21 (III) NOTHING IN THIS PARAGRAPH (b) SHALL PRECLUDE A
22 COLORADO LICENSING BOARD FROM ISSUING A CEASE-AND-DESIST ORDER
23 OR PURSUING INJUNCTIVE ACTION AGAINST A HEALTH CARE PROFESSIONAL
24 LICENSED IN ANOTHER STATE WHO IS PERFORMING REVIEW AND
25 CONSIDERATION IN THIS STATE IF THE APPROPRIATE LICENSING BOARD
26 FINDS THAT THE HEALTH CARE PROFESSIONAL IS ACTING IN A MANNER
27 THAT POSES A THREAT TO THE HEALTH OR SAFETY OF THE PUBLIC IN THIS
28 STATE.";

29 line 21, after "(3)", insert "(a)".

30 Page 7, line 10, strike "If A";

31 after line 10, insert the following:

32 "(b) (I) If A";



1 line 16, strike "BY PERFORMING THE";

2 strike lines 17 through 21 and substitute the following:

3 "(II) NOTWITHSTANDING THE LICENSURE REQUIREMENT IN
4 SECTION 12-36-106 (3) (b), C.R.S., OR ANY SIMILAR LICENSURE
5 REQUIREMENT FOR OTHER HEALTH CARE PROFESSIONALS REGULATED
6 UNDER TITLE 12, C.R.S., A HEALTH CARE PROFESSIONAL LICENSED IN
7 ANOTHER STATE THAT PERFORMS A UTILIZATION REVIEW IN THIS STATE
8 SHALL NOT BE REQUIRED TO OBTAIN LICENSURE IN COLORADO FOR THE
9 PURPOSE OF PERFORMING SUCH UTILIZATION REVIEW. THE APPROPRIATE
10 STATE LICENSING BOARD OF THE STATE IN WHICH THE HEALTH CARE
11 PROFESSIONAL IS LICENSED SHALL CONTINUE TO HAVE JURISDICTION AND
12 DISCIPLINARY AUTHORITY FOR THE CONDUCT OF THE HEALTH CARE
13 PROFESSIONAL PERFORMING UTILIZATION REVIEW IN THIS STATE.

14 (III) NOTHING IN THIS PARAGRAPH (b) SHALL PRECLUDE A
15 COLORADO LICENSING BOARD FROM ISSUING A CEASE-AND-DESIST ORDER
16 OR PURSUING INJUNCTIVE ACTION AGAINST A HEALTH CARE PROFESSIONAL
17 LICENSED IN ANOTHER STATE WHO IS CONDUCTING A UTILIZATION REVIEW
18 IN THIS STATE IF THE APPROPRIATE LICENSING BOARD FINDS THAT THE
19 HEALTH CARE PROFESSIONAL IS ACTING IN A MANNER THAT POSES A
20 THREAT TO THE HEALTH OR SAFETY OF THE PUBLIC IN THIS STATE."

21 Page 10, line 17, after "(c)", insert "(I)".

22 Page 11, line 1, strike "BY PARTICIPATING IN THE REVIEW";

23 strike lines 2 through 6 and substitute the following:

24 "(II) NOTWITHSTANDING THE LICENSURE REQUIREMENT IN
25 SECTION 12-36-106 (3) (b), C.R.S., OR ANY SIMILAR LICENSURE
26 REQUIREMENT FOR OTHER HEALTH CARE PROFESSIONALS REGULATED
27 UNDER TITLE 12, C.R.S., A PHYSICIAN, DENTIST, OR OTHER HEALTH CARE
28 PROFESSIONAL LICENSED IN ANOTHER STATE THAT PERFORMS THE REVIEW
29 OF A CLAIM FOR COVERED BENEFITS OR THE EVALUATION OR REVIEW OF
30 AN APPEAL OF A DENIAL IN THIS STATE SHALL NOT BE REQUIRED TO OBTAIN
31 LICENSURE IN COLORADO FOR THE PURPOSE OF PERFORMING SUCH REVIEW
32 OR EVALUATION. THE APPROPRIATE STATE LICENSING BOARD OF THE
33 STATE IN WHICH THE PHYSICIAN, DENTIST, OR OTHER HEALTH CARE
34 PROFESSIONAL IS LICENSED SHALL CONTINUE TO HAVE JURISDICTION AND



1 DISCIPLINARY AUTHORITY FOR THE CONDUCT OF THE HEALTH CARE
2 PROFESSIONAL PERFORMING THE REVIEW OR EVALUATION IN THIS STATE.

3 (III) NOTHING IN THIS PARAGRAPH (c) SHALL PRECLUDE A
4 COLORADO LICENSING BOARD FROM ISSUING A CEASE-AND-DESIST ORDER
5 OR PURSUING INJUNCTIVE ACTION AGAINST A PHYSICIAN, DENTIST, OR
6 OTHER HEALTH CARE PROFESSIONAL LICENSED IN ANOTHER STATE WHO IS
7 CONDUCTING A REVIEW OR EVALUATION IN THIS STATE IF THE
8 APPROPRIATE LICENSING BOARD FINDS THAT THE PHYSICIAN, DENTIST, OR
9 OTHER HEALTH CARE PROFESSIONAL IS ACTING IN A MANNER THAT POSES
10 A THREAT TO THE HEALTH OR SAFETY OF THE PUBLIC IN THIS STATE."

11 Page 12, line 21, after "(b)", insert "(I)";

12 strike line 27.

13 Page 13, strike lines 1 through 6 and substitute the following:

14 "(II) NOTWITHSTANDING THE LICENSURE REQUIREMENT IN
15 SECTION 12-36-106 (3) (b), C.R.S., OR ANY SIMILAR LICENSURE
16 REQUIREMENT FOR OTHER HEALTH CARE PROFESSIONALS REGULATED
17 UNDER TITLE 12, C.R.S., A HEALTH CARE PROFESSIONAL LICENSED IN
18 ANOTHER STATE THAT PERFORMS A REVIEW AND CONSIDERATION OF
19 ELIGIBILITY FOR PAYMENT IN THIS STATE SHALL NOT BE REQUIRED TO
20 OBTAIN LICENSURE IN COLORADO FOR THE PURPOSE OF PERFORMING SUCH
21 REVIEW AND CONSIDERATION. THE APPROPRIATE STATE LICENSING BOARD
22 OF THE STATE IN WHICH THE HEALTH CARE PROFESSIONAL IS LICENSED
23 SHALL CONTINUE TO HAVE JURISDICTION AND DISCIPLINARY AUTHORITY
24 FOR THE CONDUCT OF THE HEALTH CARE PROFESSIONAL PERFORMING THE
25 REVIEW AND CONSIDERATION IN THIS STATE.

26 (III) NOTHING IN THIS PARAGRAPH (b) SHALL PRECLUDE A
27 COLORADO LICENSING BOARD FROM ISSUING A CEASE-AND-DESIST ORDER
28 OR PURSUING INJUNCTIVE ACTION AGAINST A HEALTH CARE PROFESSIONAL
29 LICENSED IN ANOTHER STATE WHO IS CONDUCTING A REVIEW AND
30 CONSIDERATION IN THIS STATE IF THE APPROPRIATE LICENSING BOARD
31 FINDS THAT THE HEALTH CARE PROFESSIONAL IS ACTING IN A MANNER
32 THAT POSES A THREAT TO THE HEALTH OR SAFETY OF THE PUBLIC IN THIS
33 STATE."

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