

SB239_L.018

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:

SB09-239 be amended as follows:

1 Amend reengrossed bill, page 7, line 15, after "PROBATION," insert "TO
2 IMPOSE AN ADMINISTRATIVE FINE ON A LICENSEE,";

3 after line 19, insert the following:

4 "SECTION 5. The introductory portion to 12-38-116.5 (4) (c)
5 (III), Colorado Revised Statutes, is amended to read:

6 **12-38-116.5. Disciplinary procedures of the board - inquiry**
7 **and hearings panels.** (4) (c) (III) If the hearings panel finds the charges
8 proven and orders that discipline be imposed, it shall also determine the
9 extent of such discipline, which may be in the form of a letter of
10 admonition regarding a license or suspension for a definite or indefinite
11 period, revocation, or nonrenewal of a license to practice. IN ADDITION
12 TO ANY OTHER DISCIPLINE THAT MAY BE IMPOSED PURSUANT TO THIS
13 SECTION, THE HEARINGS PANEL MAY IMPOSE A FINE OF NO LESS THAN TWO
14 HUNDRED FIFTY DOLLARS BUT NO MORE THAN ONE THOUSAND DOLLARS
15 PER VIOLATION ON ANY NURSE WHO VIOLATES THIS ARTICLE OR ANY RULE
16 ADOPTED PURSUANT TO THIS ARTICLE. THE BOARD SHALL ADOPT RULES
17 ESTABLISHING A FINE STRUCTURE AND THE CIRCUMSTANCES UNDER WHICH
18 FINES MAY BE IMPOSED. ALL FINES COLLECTED PURSUANT TO THIS
19 SUBPARAGRAPH (III) SHALL BE TRANSMITTED TO THE STATE TREASURER
20 WHO SHALL CREDIT THE SAME TO THE GENERAL FUND. In determining
21 appropriate disciplinary action, the hearings panel shall first consider
22 sanctions that are necessary to protect the public. Only after the panel has
23 considered such sanctions shall it consider and order requirements



1 designed to rehabilitate the nurse. If discipline other than revocation of
2 a license to practice is imposed, the hearings panel may also order that the
3 nurse be granted probation and allowed to continue to practice during the
4 period of such probation. The hearings panel may also include in any
5 disciplinary order that allows the nurse to continue to practice such
6 conditions as the panel may deem appropriate to assure that the nurse is
7 physically, mentally, and otherwise qualified to practice nursing in
8 accordance with generally accepted standards of practice, including any
9 of the following:".

10 Renumber succeeding sections accordingly.

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