

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 12, 2009

Date

Committee on Health and Human Services.

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

HB09-1175 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, line 11, strike "PROCESSES" and substitute
2 "PROCESSES. NATUROPATHIC MEDICINE IS PRACTICED";

3 line 12, strike "PHYSICAL";

4 line 15, strike "LIGHT;" and substitute "LIGHT.";

5 strike lines 16 through 20.

6 Page 5, strike lines 17 through 27.

7 Page 6, strike lines 1 through 4 and substitute the following:

8 "(2) THE TASK FORCE SHALL CONSIDER ISSUES RELATED TO THE
9 PRACTICE AND REGULATION OF NATUROPATHIC MEDICINE. SUCH
10 CONSIDERATION SHALL BE BASED UPON STANDARD EVIDENCE OF
11 EFFECTIVENESS AND SAFETY IN LIGHT OF QUALITY, PEER REVIEWED
12 PUBLISHED OR WIDELY VETTED RESEARCH. THE ISSUES CONSIDERED
13 SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

14 (a) THE QUALIFICATIONS OF NATUROPATHIC DOCTORS AND WHAT
15 SCOPE OF PRACTICE SHOULD GOVERN NATUROPATHIC MEDICINE IN
16 COLORADO INCLUDING, WITHOUT LIMITATION, ANY ADDITIONAL
17 TREATMENTS THAT MAY BE APPROPRIATE FOR NATUROPATHIC DOCTORS

- 1 TO PERFORM;".
- 2 Reletter succeeding paragraphs accordingly.
- 3 Page 6, line 20, after "CERTIFICATIONS;", add "AND";
- 4 line 22, strike "CARRY; AND" and substitute "CARRY.";
- 5 strike lines 23 through 25.
- 6 Page 7, strike lines 16 through 18;
- 7 line 27, strike "AN" and substitute "A COMPLETED".
- 8 Page 8, line 11, after "REGISTER", insert "BY ENDORSEMENT".
- 9 Page 10, line 2, strike "ARTICLE." and substitute "ARTICLE OR SECTION
10 24-34-102 (8), C.R.S.";
- 11 line 3, strike "(c)" and substitute "(5)";
- 12 line 5, strike "(5)" and substitute "(6)";
- 13 line 8, after "C.R.S.", add "FEES MAY BE SPENT FOR EXPENSES OF THE
14 DIVISION IN STAFFING THE TASK FORCE.";
- 15 line 16, after the period, add "A NATUROPATHIC DOCTOR SHALL OBSERVE
16 AND BE SUBJECT TO ALL APPLICABLE LAWS WITH REGARD TO THE CONTROL
17 OF CONTAGIOUS AND INFECTIOUS DISEASES, THE REPORTING OF BIRTHS
18 AND DEATHS, AND ANY OTHER MATTERS PERTAINING TO THE PUBLIC
19 HEALTH.".
- 20 Page 11, line 16, strike "CONCOMITANT CONDITIONS AND".
- 21 Page 12, strike lines 10 through 15 and substitute the following:
- 22 "(II) VERIFIES THAT THE CHILD IS BEING TREATED BY A PHYSICIAN
23 LICENSED PURSUANT TO ARTICLE 36 OF THIS TITLE OR OBTAINS A WAIVER
24 SIGNED BY THE CHILD'S PARENT OR GUARDIAN STATING THAT HE OR SHE
25 REFUSES TO HAVE THE CHILD TREATED BY A PHYSICIAN, IN WHICH CASE
26 THE NATUROPATHIC DOCTOR";

1 line 22, strike "OR";

2 strike lines 25 and 26 and substitute the following:

3 "12-37.7-112;

4 (o) PERFORM COLONIC IRRIGATION; OR

5 (p) PERFORM REVISION, DESTRUCTION, INCISION, OR OTHER
6 STRUCTURAL ALTERATION OF HUMAN TISSUE USING LASER TECHNOLOGY,
7 WHICH INCLUDES THE USE OF LASERS OR PULSE LIGHT DEVICES IDENTIFIED
8 BY THE FEDERAL DRUG ADMINISTRATION AS A CLASS II DEVICE."

9 Page 13, line 16, strike "SHALL" and substitute "MAY";

10 line 17, strike "REGISTRATION" and substitute "REGISTRATION, PLACE A
11 REGISTRANT ON PROBATION,".

12 Page 14, strike lines 9 through 12 and substitute the following:

13 "HAVING SIMILAR EFFECTS;";

14 line 13, strike "OR DISABILITY".

15 Page 16, line 11, strike "OR";

16 strike lines 12 through 19 and substitute the following:

17 "(p) HAS FAILED TO MEET GENERALLY ACCEPTED STANDARDS OF
18 NATUROPATHIC PRACTICE;

19 (q) HAS FAILED TO REFER A PATIENT TO THE APPROPRIATE
20 LICENSED HEALTH CARE PRACTITIONER WHEN THE SERVICES REQUIRED BY
21 THE PATIENT ARE BEYOND THE LEVEL OF COMPETENCE OF THE
22 NATUROPATHIC DOCTOR OR BEYOND THE SCOPE OF THIS ARTICLE; OR

23 (r) HAS PERFORMED A PROCEDURE IN THE COURSE OF PATIENT
24 CARE THAT IS BEYOND THE NATUROPATHIC DOCTOR'S TRAINING OR
25 COMPETENCE OR BEYOND THE SCOPE OF PRACTICE OF THIS ARTICLE."

26 Page 17, line 2, strike "SUBJECT TO SECTION 12-37.7-104 (2), IF" and

1 substitute "If".

2 Page 22, strike lines 17 through 27 and substitute the following:

3 "(12) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
4 EVIDENCE PRESENTED TO THE DIRECTOR, THAT A PERSON HAS ENGAGED OR
5 IS ABOUT TO ENGAGE IN AN UNREGISTERED ACT OR PRACTICE; AN ACT OR
6 PRACTICE CONSTITUTING A VIOLATION OF THIS ARTICLE; A RULE
7 PROMULGATED PURSUANT TO THE ARTICLE; AN ORDER ISSUED PURSUANT
8 TO THIS ARTICLE; OR AN ACT OR PRACTICE CONSTITUTING GROUNDS FOR
9 ADMINISTRATIVE SANCTION PURSUANT TO THIS ARTICLE, THE DIRECTOR
10 MAY ENTER INTO A STIPULATION WITH THE PERSON."

11 Page 27, line 14, after "WHO", insert "IS ELIGIBLE TO REGISTER PURSUANT
12 TO SECTION 12-37.7-105 AND WHO";

13 after line 20, insert the following:

14 "(3) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO APPLY TO
15 A PERSON WHO IS NOT ELIGIBLE TO REGISTER PURSUANT TO SECTION
16 12-37.7-105."

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