

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 14, 2013
Date

Committee on Health, Insurance & Environment.

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

HB13-1111 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** article 37.3 to
4 title 12 as follows:

5 **ARTICLE 37.3**
6 **Naturopathic Doctors**

7 **12-37.3-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND
8 MAY BE CITED AS THE "NATUROPATHIC DOCTOR ACT".

9 **12-37.3-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
10 CONTEXT OTHERWISE REQUIRES:

11 (1) "ADVISORY COMMITTEE" MEANS THE NATUROPATHIC MEDICINE
12 ADVISORY COMMITTEE CREATED IN SECTION 12-37.3-103.

13 (2) "APPROVED CLINICAL TRAINING" MEANS CLINICAL TRAINING
14 IN NATUROPATHIC MEDICINE IN AN INPATIENT OR OUTPATIENT SETTING
15 THAT HAS BEEN APPROVED BY THE DIRECTOR. "APPROVED CLINICAL
16 TRAINING" MAY INCLUDE COMPONENTS OF ALLOPATHIC MEDICINE IN
17 ADDITION TO NATUROPATHIC MEDICINE.

18 (3) "APPROVED NATUROPATHIC MEDICAL COLLEGE" MEANS:

19 (a) A NATUROPATHIC MEDICAL EDUCATION PROGRAM IN THE
20 UNITED STATES OR CANADA THAT GRANTS THE DEGREE OF DOCTOR OF
21 NATUROPATHIC MEDICINE OR DOCTOR OF NATUROPATHY AND THAT:

22 (I) IS APPROVED BY THE DIRECTOR;

23 (II) OFFERS GRADUATE-LEVEL, FULL-TIME DIDACTIC AND
24 SUPERVISED CLINICAL TRAINING; AND

1 (III) IS ACCREDITED OR HAS ACHIEVED CANDIDACY STATUS FOR
2 ACCREDITATION BY THE COUNCIL ON NATUROPATHIC MEDICAL EDUCATION
3 OR AN EQUIVALENT ACCREDITING BODY FOR NATUROPATHIC MEDICAL
4 PROGRAMS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF
5 EDUCATION; OR

6 (b) ANY OTHER COLLEGE OR PROGRAM APPROVED BY THE
7 DIRECTOR AND ACCREDITED BY THE COUNCIL ON NATUROPATHIC MEDICAL
8 EDUCATION OR ITS SUCCESSOR ENTITY.

9 (4) "CONTINUING PROFESSIONAL COMPETENCY" MEANS THE
10 ONGOING ABILITY OF A NATUROPATHIC DOCTOR TO LEARN, INTEGRATE,
11 AND APPLY THE KNOWLEDGE, SKILL, AND JUDGMENT TO PRACTICE AS A
12 NATUROPATHIC DOCTOR ACCORDING TO GENERALLY ACCEPTED
13 STANDARDS AND PROFESSIONAL ETHICAL STANDARDS.

14 (5) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION.

15 (6) "DIVISION" MEANS THE DIVISION OF PROFESSIONS AND
16 OCCUPATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES.

17 (7) "HOMEOPATHIC PREPARATIONS" MEANS MEDICINES PREPARED
18 ACCORDING TO THE MOST CURRENT VERSION OF THE HOMEOPATHIC
19 PHARMACOPOEIA OF THE UNITED STATES, REVISED SERVICES.

20 (8) "NATURAL HEALTH CARE PRACTITIONER", "NATURAL HEALTH
21 CARE PROVIDER", "UNLICENSED COMPLIMENTARY OR ALTERNATIVE
22 HEALTH CARE PRACTITIONER", "HOMEOPATH", "TRADITIONAL
23 NATUROPATH", OR "HERBALIST" MEANS A PERSON WHO ADVISES IN THE
24 USE OF NATURAL HEALTH CARE PRODUCTS OR WHO PROVIDES NATURAL
25 HEALTH CARE SERVICES OR THERAPIES, INCLUDING HOMEOPATHY, DIET
26 GUIDANCE AND INFORMATION, HERBS OR SUPPLEMENTS, PATIENT
27 EDUCATION, WELLNESS GUIDANCE, AND OTHER NATURAL REMEDIES.

28 (9) "NATUROPATHIC DOCTOR" OR "REGISTRANT" MEANS A PERSON
29 WHO IS REGISTERED BY THE DIRECTOR TO PRACTICE NATUROPATHIC
30 MEDICINE PURSUANT TO THIS ARTICLE.

31 (10) "NATUROPATHIC FORMULARY" MEANS THE LIST OF
32 NONPRESCRIPTION CLASSES OF MEDICINES DETERMINED BY THE DIRECTOR
33 THAT NATUROPATHIC DOCTORS USE IN THE PRACTICE OF NATUROPATHIC
34 MEDICINE.

35 (11) (a) "NATUROPATHIC MEDICINE", AS PERFORMED BY A
36 NATUROPATHIC DOCTOR, MEANS A SYSTEM OF HEALTH CARE FOR THE
37 PREVENTION, DIAGNOSIS, EVALUATION, AND TREATMENT OF INJURIES,
38 DISEASES AND CONDITIONS OF THE HUMAN BODY THROUGH THE USE OF
39 EDUCATION, NUTRITION, NATUROPATHIC PREPARATIONS, NATURAL
40 MEDICINES AND OTHER THERAPIES, AND OTHER MODALITIES THAT ARE
41 DESIGNED TO SUPPORT OR SUPPLEMENT THE HUMAN BODY'S OWN NATURAL

1 SELF-HEALING PROCESSES.

2 (b) "NATUROPATHIC MEDICINE" INCLUDES NATUROPATHIC
3 PHYSICAL MEDICINE, WHICH CONSISTS OF NATUROPATHIC MANUAL
4 THERAPY, THE THERAPEUTIC USE OF THE PHYSICAL AGENTS OF AIR,
5 WATER, HEAT, COLD, SOUND, LIGHT, TOUCH, AND ELECTROMAGNETIC
6 NONIONIZING RADIATION, AND THE PHYSICAL MODALITIES OF
7 ELECTROTHERAPY, DIATHERMY, ULTRAVIOLET LIGHT, ULTRASOUND,
8 HYDROTHERAPY, AND EXERCISE.

9 **12-37.3-103. Naturopathic medicine advisory committee -**
10 **creation - membership - duties.** (1) (a) THE NATUROPATHIC MEDICINE
11 ADVISORY COMMITTEE IS HEREBY CREATED IN THE DEPARTMENT OF
12 REGULATORY AGENCIES AS THE ENTITY RESPONSIBLE FOR ADVISING THE
13 DIRECTOR IN THE REGULATION OF THE PRACTICE OF NATUROPATHIC
14 MEDICINE BY NATUROPATHIC DOCTORS AND THE IMPLEMENTATION OF THIS
15 ARTICLE.

16 (b) (I) THE ADVISORY COMMITTEE CONSISTS OF SEVEN MEMBERS
17 APPOINTED BY THE DIRECTOR AS FOLLOWS:

18 (A) THREE MEMBERS WHO ARE NATUROPATHIC DOCTORS;

19 (B) ONE MEMBER WHO IS A DOCTOR OF MEDICINE OR OSTEOPATHY
20 LICENSED PURSUANT TO ARTICLE 36 OF THIS TITLE;

21 (C) ONE MEMBER WHO IS A PHARMACIST LICENSED PURSUANT TO
22 ARTICLE 42.5 OF THIS TITLE; AND

23 (D) TWO MEMBERS FROM THE PUBLIC AT LARGE. THE DIRECTOR
24 SHALL MAKE REASONABLE EFFORTS TO APPOINT PUBLIC MEMBERS WHO
25 ARE OR HAVE BEEN CONSUMERS OF NATUROPATHIC MEDICINE.

26 (II) THE DIRECTOR SHALL APPOINT MEMBERS TO THE ADVISORY
27 COMMITTEE NO LATER THAN JANUARY 1, 2014.

28 (c) (I) EACH MEMBER OF THE ADVISORY COMMITTEE HOLDS OFFICE
29 UNTIL THE EXPIRATION OF THE MEMBER'S APPOINTED TERM OR UNTIL A
30 SUCCESSOR IS DULY APPOINTED. EXCEPT AS SPECIFIED IN SUBPARAGRAPH
31 (II) OF THIS PARAGRAPH (c), THE TERM OF OFFICE OF EACH MEMBER IS
32 FOUR YEARS, AND AN ADVISORY COMMITTEE MEMBER SHALL NOT SERVE
33 MORE THAN TWO CONSECUTIVE FOUR-YEAR TERMS. THE DIRECTOR SHALL
34 FILL A VACANCY OCCURRING ON THE ADVISORY COMMITTEE, OTHER THAN
35 BY EXPIRATION OF A TERM, BY APPOINTMENT FOR THE UNEXPIRED TERM
36 OF THE MEMBER.

37 (II) TO ENSURE STAGGERED TERMS OF OFFICE, THE INITIAL TERM
38 OF OFFICE OF ONE OF THE NATUROPATHIC DOCTOR MEMBERS, THE
39 PHARMACIST MEMBER, AND ONE OF THE MEMBERS REPRESENTING THE
40 PUBLIC IS TWO YEARS. THESE MEMBERS ARE ELIGIBLE TO SERVE ONE
41 ADDITIONAL FOUR-YEAR TERM OF OFFICE. ON AND AFTER THE EXPIRATION

1 OF THESE MEMBERS' TERMS, THE TERM OF OFFICE OF PERSONS APPOINTED
2 TO THESE POSITIONS ON THE ADVISORY COMMITTEE IS AS DESCRIBED IN
3 SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), COMMENCING ON JANUARY
4 1 OF THE APPLICABLE YEAR.

5 (d) THE DIRECTOR MAY REMOVE ANY ADVISORY COMMITTEE
6 MEMBER FOR MISCONDUCT, INCOMPETENCE, OR NEGLECT OF DUTY.

7 (2) THE ADVISORY COMMITTEE SHALL ADVISE THE DIRECTOR IN
8 THE ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE AND RULES
9 ADOPTED UNDER THIS ARTICLE.

10 (3) MEMBERS OF THE ADVISORY COMMITTEE SHALL NOT RECEIVE
11 COMPENSATION FOR THEIR SERVICES BUT ARE ENTITLED TO
12 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES THEY INCUR IN
13 PERFORMING THEIR DUTIES.

14 **12-37.3-104. Director powers and duties.** (1) IN ADDITION TO
15 ANY OTHER POWERS AND DUTIES GRANTED OR IMPOSED ON THE DIRECTOR
16 UNDER THIS ARTICLE, THE DIRECTOR SHALL:

17 (a) ADOPT RULES NECESSARY TO ADMINISTER THIS ARTICLE;

18 (b) ESTABLISH THE FORM AND MANNER IN WHICH APPLICANTS ARE
19 TO APPLY FOR A NEW REGISTRATION OR TO RENEW A REGISTRATION;

20 (c) RECEIVE, REVIEW, AND APPROVE OR DENY APPLICATIONS FOR
21 REGISTRATIONS AND ISSUE AND RENEW REGISTRATIONS UNDER THIS
22 ARTICLE;

23 (d) ESTABLISH FEES FOR REGISTRATION APPLICATIONS AND
24 RENEWAL APPLICATIONS IN THE MANNER AUTHORIZED BY SECTION
25 24-34-105, C.R.S.;

26 (e) CONDUCT INVESTIGATIONS, HOLD HEARINGS, TAKE EVIDENCE,
27 AND PURSUE DISCIPLINARY ACTIONS PURSUANT TO SECTION 12-37.3-112
28 WITH RESPECT TO COMPLAINTS AGAINST NATUROPATHIC DOCTORS WHEN
29 THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT A
30 NATUROPATHIC DOCTOR IS VIOLATING THIS ARTICLE OR RULES ADOPTED
31 PURSUANT TO THIS ARTICLE, AND TO SUBPOENA WITNESSES, ADMINISTER
32 OATHS, AND COMPEL THE TESTIMONY OF WITNESSES AND THE PRODUCTION
33 OF BOOKS, PAPERS, AND RECORDS RELEVANT TO THOSE INVESTIGATIONS
34 OR HEARINGS. ANY SUBPOENA ISSUED PURSUANT TO THIS ARTICLE IS
35 ENFORCEABLE BY THE DISTRICT COURT.

36 (f) PERFORM OTHER FUNCTIONS AND DUTIES NECESSARY TO
37 ADMINISTER THIS ARTICLE.

38 **12-37.3-105. Practice of naturopathic medicine by**
39 **naturopathic doctors - exclusions - protected activities - rules.**

40 (1) THE PRACTICE OF NATUROPATHIC MEDICINE BY A NATUROPATHIC
41 DOCTOR INCLUDES THE FOLLOWING:

1 (a) THE PREVENTION AND TREATMENT OF HUMAN INJURY, DISEASE,
2 OR CONDITIONS THROUGH EDUCATION OR DIETARY OR NUTRITIONAL
3 ADVICE, AND THE PROMOTION OF HEALTHY WAYS OF LIVING;
4 (b) THE USE OF PHYSICAL EXAMINATIONS AND THE ORDERING OF
5 CLINICAL, LABORATORY, AND RADIOLOGICAL DIAGNOSTIC PROCEDURES
6 FROM LICENSED OR CERTIFIED HEALTH CARE FACILITIES OR LABORATORIES
7 FOR THE PURPOSE OF DIAGNOSING AND EVALUATING INJURIES, DISEASES,
8 AND CONDITIONS IN THE HUMAN BODY; OR
9 (c) DISPENSING, ADMINISTERING, AND ORDERING MEDICINES
10 LISTED IN THE NATUROPATHIC FORMULARY, THERAPEUTIC DEVICES, AND
11 BARRIER CONTRACEPTIVES, EXCLUDING INTRAUTERINE DEVICES.
12 (2) A NATUROPATHIC DOCTOR SHALL NOT:
13 (a) PRESCRIBE, DISPENSE, ADMINISTER, OR INJECT A CONTROLLED
14 SUBSTANCE OR DEVICE IDENTIFIED IN THE FEDERAL "CONTROLLED
15 SUBSTANCES ACT", 21 U.S.C. SEC. 801 ET SEQ., AS AMENDED.
16 (b) PERFORM SURGICAL PROCEDURES, INCLUDING SURGICAL
17 PROCEDURES USING A LASER DEVICE;
18 (c) USE GENERAL OR SPINAL ANESTHETICS, OTHER THAN TOPICAL
19 ANESTHETICS;
20 (d) ADMINISTER IONIZING RADIOACTIVE SUBSTANCES FOR
21 THERAPEUTIC PURPOSES;
22 (e) TREAT A CHILD WHO IS LESS THAN TWO YEARS OF AGE;
23 (f) TREAT A CHILD WHO IS TWO YEARS OF AGE OR OLDER BUT LESS
24 THAN EIGHT YEARS OF AGE, UNLESS THE NATUROPATHIC DOCTOR:
25 (I) DEMONSTRATES SUCCESSFUL COMPLETION OF THREE HOURS
26 PER YEAR OF EDUCATION OR PRACTICUM TRAINING SOLELY RELATED TO
27 PEDIATRICS IN ACCORDANCE WITH CONTINUING PROFESSIONAL
28 COMPETENCY REQUIREMENTS APPROVED BY THE DIRECTOR PURSUANT TO
29 SECTION 12-37.3-108; AND
30 (II) REQUIRES THE CHILD'S PARENT OR LEGAL GUARDIAN TO SIGN
31 AN INFORMED CONSENT THAT:
32 (A) DISCLOSES THAT THE NATUROPATHIC DOCTOR IS REGISTERED
33 PURSUANT TO THIS ARTICLE;
34 (B) DISCLOSES THAT THE NATUROPATHIC DOCTOR IS NOT A
35 PHYSICIAN LICENSED PURSUANT TO ARTICLE 36 OF THIS TITLE;
36 (C) RECOMMENDS THAT THE CHILD HAVE A RELATIONSHIP WITH
37 A LICENSED PEDIATRIC HEALTH CARE PROVIDER; AND
38 (D) IF THE CHILD HAS A RELATIONSHIP WITH A LICENSED PEDIATRIC
39 HEALTH CARE PROVIDER, REQUESTS PERMISSION FROM THE PARENT OR
40 LEGAL GUARDIAN FOR THE NATUROPATHIC DOCTOR TO ATTEMPT TO
41 DEVELOP AND MAINTAIN A COLLABORATIVE RELATIONSHIP WITH THE

1 LICENSED PEDIATRIC HEALTH CARE PROVIDER, AS DEFINED BY DIRECTOR
2 RULES;
3 (g) ENGAGE IN OR PERFORM THE PRACTICE OF MEDICINE, SURGERY,
4 OR ANY OTHER FORM OF HEALING EXCEPT AS AUTHORIZED BY THIS
5 ARTICLE;
6 (h) PRACTICE OBSTETRICS; OR
7 (i) RECOMMEND THE DISCONTINUATION OF, OR COUNSEL AGAINST,
8 A COURSE OF CARE, INCLUDING A PRESCRIPTION DRUG THAT WAS
9 RECOMMENDED OR PRESCRIBED BY ANOTHER HEALTH CARE PRACTITIONER
10 LICENSED IN THIS STATE, UNLESS THE NATUROPATHIC DOCTOR CONSULTS
11 WITH THE HEALTH CARE PRACTITIONER WHO RECOMMENDED THE COURSE
12 OF CARE.
13 (3) NOTHING IN THIS ARTICLE PROHIBITS OR RESTRICTS:
14 (a) A PERSON WHO IS LICENSED, CERTIFIED, OR REGISTERED TO
15 PRACTICE A PROFESSION OR OCCUPATION UNDER ANY OTHER LAW FROM
16 ENGAGING IN ACTIVITIES THAT ARE WITHIN THE LAWFUL SCOPE OF
17 PRACTICE FOR THE PROFESSION OR OCCUPATION FOR WHICH THE PERSON
18 IS LICENSED, CERTIFIED, OR REGISTERED;
19 (b) THE PRACTICE OF NATUROPATHIC MEDICINE BY A PERSON
20 EMPLOYED BY THE FEDERAL GOVERNMENT WHILE THE PERSON IS ENGAGED
21 IN THE PERFORMANCE OF HIS OR HER DUTIES;
22 (c) THE PRACTICE OF NATUROPATHIC MEDICINE BY STUDENTS
23 ENROLLED IN AN APPROVED NATUROPATHIC MEDICAL COLLEGE IF THE
24 PERFORMANCE OF SERVICES IS PURSUANT TO A COURSE OF INSTRUCTION
25 OR ASSIGNMENTS FROM AND UNDER THE SUPERVISION OF AN INSTRUCTOR
26 WHO IS A NATUROPATHIC DOCTOR OR A LICENSED PROFESSIONAL IN THE
27 FIELD IN WHICH HE OR SHE IS PROVIDING INSTRUCTION;
28 (d) ANY PERSON FROM ADMINISTERING A DOMESTIC OR FAMILY
29 REMEDY TO ONESELF OR A MEMBER OF HIS OR HER IMMEDIATE FAMILY
30 BASED ON RELIGIOUS OR HEALTH BELIEFS;
31 (e) ANY PERSON FROM RENDERING AID IN AN EMERGENCY WHEN
32 NO FEE OR OTHER CONSIDERATION OF VALUE FOR THE SERVICES IS
33 CHARGED, RECEIVED, EXPECTED, OR CONTEMPLATED; OR
34 (f) ANY PERSON ENGAGED IN SELLING VITAMINS, HEALTH FOODS,
35 DIETARY SUPPLEMENTS, HERBS, OR OTHER NATURAL PRODUCTS, THE SALE
36 OF WHICH IS NOT OTHERWISE PROHIBITED BY STATE OR FEDERAL LAW,
37 FROM SELLING OR PROVIDING INFORMATION ABOUT THE PRODUCTS.
38 (4) (a) A NATUROPATHIC DOCTOR HAS THE SAME AUTHORITY AND
39 IS SUBJECT TO THE SAME RESPONSIBILITIES AS A LICENSED PHYSICIAN
40 UNDER PUBLIC HEALTH LAWS PERTAINING TO REPORTABLE DISEASES AND
41 CONDITIONS, COMMUNICABLE DISEASE CONTROL AND PREVENTION, AND

1 RECORDING OF VITAL STATISTICS AND HEALTH AND PHYSICAL
2 EXAMINATIONS, SUBJECT TO THE LIMITATIONS OF THE SCOPE OF PRACTICE
3 OF A NATUROPATHIC DOCTOR AS SPECIFIED IN THIS ARTICLE.

4 (b) BEFORE CONDUCTING AN INITIAL EXAMINATION OF A PATIENT,
5 A NATUROPATHIC DOCTOR SHALL OBTAIN THE PATIENT'S INFORMED
6 CONSENT TO THE EXAMINATION, EVIDENCED BY A WRITTEN STATEMENT IN
7 A FORM PRESCRIBED BY THE DIRECTOR AND SIGNED BY BOTH THE PATIENT
8 AND THE NATUROPATHIC DOCTOR.

9 (c) A NATUROPATHIC DOCTOR SHALL COMMUNICATE AND
10 COOPERATE WITH A PATIENT'S OTHER HEALTH CARE PROVIDERS, IF ANY, TO
11 ENSURE THAT THE PATIENT RECEIVES COORDINATED CARE.

12 (d) A NATUROPATHIC DOCTOR SHALL REFER A PATIENT TO
13 ANOTHER HEALTH CARE PROFESSIONAL IF THE PATIENT'S NEEDS ARE
14 BEYOND THE NATUROPATHIC DOCTOR'S SCOPE OF KNOWLEDGE AND
15 PRACTICE.

16 (5) THIS ARTICLE DOES NOT PROHIBIT A PERSON LICENSED OR
17 OTHERWISE AUTHORIZED TO PRACTICE AS A NATUROPATHIC DOCTOR IN
18 ANOTHER STATE OR DISTRICT IN THE UNITED STATES FROM CONSULTING
19 WITH A NATUROPATHIC DOCTOR IN THIS STATE, AS LONG AS THE
20 CONSULTATION IS LIMITED TO EXAMINATION, RECOMMENDATION, OR
21 TESTIMONY IN LITIGATION.

22 (6) A PERSON WHO IS NOT REGISTERED AS A NATUROPATHIC
23 DOCTOR UNDER THIS ARTICLE AND WHO PROVIDES NATURAL HEALTH CARE
24 SERVICES OR ADVISES IN THE USE OF NATURAL HEALTH CARE PRODUCTS OR
25 THERAPIES MAY HOLD HIMSELF OR HERSELF OUT AND PRACTICE AS A
26 NATURAL HEALTH CARE PROVIDER, A NATURAL HEALTH CARE
27 PRACTITIONER, AN UNLICENSED COMPLEMENTARY OR ALTERNATIVE
28 HEALTH CARE PRACTITIONER, A HOMEOPATH, A TRADITIONAL
29 NATUROPATH, AN HERBALIST, A PRACTITIONER OF ANOTHER NATURAL
30 HEALTH CARE VOCATION, OR ANY OTHER TITLE THAT DESCRIBES THE
31 PRACTICE OR SERVICES BEING PROVIDED.

32 **12-37.3-106. Registration required - qualifications -**
33 **examination - registration by endorsement - rules.** (1) EFFECTIVE
34 JUNE 1, 2014, A PERSON SHALL NOT PRACTICE AS A NATUROPATHIC
35 DOCTOR IN THIS STATE WITHOUT A REGISTRATION.

36 (2) AN APPLICANT FOR A REGISTRATION TO PRACTICE AS A
37 NATUROPATHIC DOCTOR IN THIS STATE SHALL SUBMIT AN APPLICATION TO
38 THE DIRECTOR IN A FORM AND MANNER DETERMINED BY THE DIRECTOR BY
39 RULE, ACCOMPANIED BY THE FEE REQUIRED PURSUANT TO SECTION
40 12-37.3-104 (1) (d). THE DIRECTOR SHALL ISSUE A REGISTRATION TO
41 PRACTICE AS A NATUROPATHIC DOCTOR TO AN APPLICANT UPON RECEIPT

1 OF SATISFACTORY PROOF THAT THE APPLICANT:
2 (a) IS AT LEAST TWENTY-ONE YEARS OF AGE AND OF GOOD MORAL
3 CHARACTER;
4 (b) HAS OBTAINED A BACCALAUREATE DEGREE FROM AN
5 ACCREDITED EDUCATIONAL INSTITUTION OR ITS EQUIVALENT, AS
6 DETERMINED BY THE DIRECTOR;
7 (c) HAS GRADUATED FROM AND HOLDS A DOCTOR OF
8 NATUROPATHIC MEDICINE OR DOCTOR OF NATUROPATHY DEGREE FROM AN
9 APPROVED NATUROPATHIC MEDICAL COLLEGE;
10 (d) HAS SUCCESSFULLY PASSED EITHER A DIRECTOR-APPROVED
11 EXAMINATION OR A COMPREHENSIVE COMPETENCY-BASED NATIONAL
12 NATUROPATHIC LICENSING EXAMINATION ADMINISTERED BY THE NORTH
13 AMERICAN BOARD OF NATUROPATHIC EXAMINERS OR A NATIONALLY
14 RECOGNIZED, DIRECTOR-APPROVED SUCCESSOR ENTITY, AS DETERMINED
15 BY THE DIRECTOR BY RULE; AND
16 (e) HAS NOT HAD A LICENSE OR OTHER AUTHORIZATION TO
17 PRACTICE AS A NATUROPATHIC DOCTOR OR OTHER HEALTH CARE LICENSE,
18 REGISTRATION, OR CERTIFICATION DENIED, REVOKED, OR SUSPENDED BY
19 COLORADO OR ANY OTHER JURISDICTION FOR REASONS THAT RELATE TO
20 THE APPLICANT'S ABILITY TO SKILLFULLY AND SAFELY PRACTICE
21 NATUROPATHIC MEDICINE, UNLESS THE LICENSE, REGISTRATION, OR
22 CERTIFICATION IS REINSTATED TO GOOD STANDING BY COLORADO OR
23 ANOTHER JURISDICTION.
24 (3) THE DIRECTOR MAY ISSUE A REGISTRATION BY ENDORSEMENT
25 TO ENGAGE IN THE PRACTICE OF NATUROPATHIC MEDICINE TO AN
26 APPLICANT WHO HAS A LICENSE, CERTIFICATION, OR REGISTRATION IN
27 GOOD STANDING AS A NATUROPATHIC DOCTOR UNDER THE LAWS OF
28 ANOTHER JURISDICTION IF THE APPLICANT PRESENTS SATISFACTORY PROOF
29 TO THE DIRECTOR THAT, AT THE TIME OF APPLICATION FOR A COLORADO
30 REGISTRATION BY ENDORSEMENT, THE APPLICANT POSSESSES
31 CREDENTIALS AND QUALIFICATIONS THAT ARE SUBSTANTIALLY
32 EQUIVALENT TO THE REQUIREMENTS OF THIS SECTION. THE DIRECTOR MAY
33 ADOPT RULES CONCERNING THE NECESSARY APPLICANT CREDENTIALS AND
34 QUALIFICATIONS.
35 **12-37.3-107. Registration renewal or reinstatement - fees.** A
36 NATUROPATHIC DOCTOR SHALL RENEW OR REINSTATE HIS OR HER
37 REGISTRATION PURSUANT TO A SCHEDULE ESTABLISHED BY THE DIRECTOR,
38 AND THE DIRECTOR SHALL RENEW OR REINSTATE A REGISTRATION IN
39 ACCORDANCE WITH SECTION 24-34-102 (8), C.R.S. THE DIRECTOR MAY
40 ESTABLISH RENEWAL FEES AND DELINQUENCY FEES FOR REINSTATEMENT
41 PURSUANT TO SECTION 24-34-105, C.R.S., AND SHALL INCREASE RENEWAL

1 FEES CONSISTENT WITH SECTION 24-34-109 (4), C.R.S., TO FUND THE
2 DIVISION'S COSTS IN ADMINISTERING THIS ARTICLE. IF A PERSON FAILS TO
3 RENEW HIS OR HER REGISTRATION PURSUANT TO THE SCHEDULE
4 ESTABLISHED BY THE DIRECTOR, THE REGISTRATION EXPIRES. A PERSON
5 WHOSE REGISTRATION EXPIRES IS SUBJECT TO THE PENALTIES PROVIDED
6 IN THIS ARTICLE OR SECTION 24-34-102 (8), C.R.S. THE DIRECTOR SHALL
7 TRANSMIT FEES COLLECTED PURSUANT TO THIS SECTION OR SECTION
8 12-37.3-106 TO THE STATE TREASURER FOR DEPOSIT IN THE DIVISION OF
9 PROFESSIONS AND OCCUPATIONS CASH FUND PURSUANT TO SECTION
10 24-34-105, C.R.S.

11 **12-37.3-108. Continuing professional competency - rules.**

12 (1) (a) A NATUROPATHIC DOCTOR SHALL MAINTAIN CONTINUING
13 PROFESSIONAL COMPETENCY TO PRACTICE NATUROPATHIC MEDICINE.

14 (b) THE DIRECTOR SHALL ADOPT RULES ESTABLISHING A
15 CONTINUING PROFESSIONAL COMPETENCY PROGRAM THAT INCLUDES, AT
16 A MINIMUM, THE FOLLOWING ELEMENTS:

17 (I) A SELF-ASSESSMENT OF THE KNOWLEDGE AND SKILLS OF A
18 NATUROPATHIC DOCTOR SEEKING TO RENEW OR REINSTATE A
19 REGISTRATION;

20 (II) DEVELOPMENT, EXECUTION, AND DOCUMENTATION OF A
21 LEARNING PLAN BASED ON THE ASSESSMENT; AND

22 (III) PERIODIC DEMONSTRATION OF KNOWLEDGE AND SKILLS
23 THROUGH DOCUMENTATION OF ACTIVITIES NECESSARY TO ENSURE
24 CONTINUING COMPETENCY IN THE PROFESSION; EXCEPT THAT A
25 NATUROPATHIC DOCTOR NEED NOT RETAKE ANY EXAMINATION REQUIRED
26 BY SECTION 12-37.3-106 (2) (d) FOR INITIAL REGISTRATION.

27 (c) THE DIRECTOR SHALL ESTABLISH THAT A NATUROPATHIC
28 DOCTOR SATISFIES THE CONTINUING COMPETENCY REQUIREMENTS OF THIS
29 SECTION IF THE NATUROPATHIC DOCTOR MEETS THE CONTINUING
30 PROFESSIONAL COMPETENCY REQUIREMENTS OF ONE OF THE FOLLOWING
31 ENTITIES:

32 (I) A STATE DEPARTMENT, INCLUDING CONTINUING PROFESSIONAL
33 COMPETENCY REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
34 ARRANGEMENT WITH A PROVIDER;

35 (II) AN ACCREDITING BODY RECOGNIZED BY THE DIRECTOR; OR

36 (III) AN ENTITY APPROVED BY THE DIRECTOR.

37 (d) (I) AFTER THE PROGRAM IS ESTABLISHED, A NATUROPATHIC
38 DOCTOR SHALL SATISFY THE REQUIREMENTS OF THE PROGRAM IN ORDER
39 TO RENEW OR REINSTATE A REGISTRATION TO PRACTICE NATUROPATHIC
40 MEDICINE.

41 (II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL

1 NATUROPATHIC DOCTORS, AND NOTHING IN THIS SECTION REQUIRES A
2 PERSON WHO EMPLOYS OR CONTRACTS WITH A NATUROPATHIC DOCTOR TO
3 COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

4 (2) RECORDS OF ASSESSMENTS OR OTHER DOCUMENTATION
5 DEVELOPED OR SUBMITTED IN CONNECTION WITH THE CONTINUING
6 PROFESSIONAL COMPETENCY PROGRAM ARE CONFIDENTIAL AND NOT
7 SUBJECT TO INSPECTION BY THE PUBLIC OR DISCOVERY IN CONNECTION
8 WITH A CIVIL ACTION AGAINST A NATUROPATHIC DOCTOR. NEITHER THE
9 DIRECTOR NOR ANY OTHER PERSON SHALL USE THE RECORDS OR
10 DOCUMENTS UNLESS USED BY THE DIRECTOR TO DETERMINE WHETHER A
11 NATUROPATHIC DOCTOR IS MAINTAINING CONTINUING PROFESSIONAL
12 COMPETENCY TO ENGAGE IN THE PROFESSION.

13 **12-37.3-109. Compliance with transparency requirements.** A
14 NATUROPATHIC DOCTOR SHALL COMPLY WITH SECTION 24-34-110, C.R.S.,
15 REGARDING THE DISCLOSURE OF INFORMATION TO THE DIRECTOR.

16 **12-37.3-110. Persons entitled to practice as naturopathic**
17 **doctors - title protection for naturopathic doctors.** (1) A PERSON
18 SHALL NOT HOLD HIMSELF OR HERSELF OUT AS A NATUROPATHIC DOCTOR
19 OR USE ANY OF THE TITLES OR INITIALS REFERRED TO IN SUBSECTION (2)
20 OF THIS SECTION UNLESS THE PERSON IS REGISTERED AS A NATUROPATHIC
21 DOCTOR PURSUANT TO THIS ARTICLE.

22 (2) A NATUROPATHIC DOCTOR MAY USE THE TITLE
23 "NATUROPATHIC DOCTOR", OR "DOCTOR OF NATUROPATHY", OR THE
24 INITIALS "N.D."

25 (3) A NATUROPATHIC DOCTOR SHALL NOT USE:

26 (a) THE TERM "PHYSICIAN";

27 (b) THE ABBREVIATIONS "NMD" OR "N.M.D.";

28 (c) THE TERM "NATUROPATHIC MEDICAL DOCTOR".

29 (4) NOTHING IN THIS SECTION PREVENTS A NATUROPATHIC DOCTOR
30 FROM DISCLOSING MEMBERSHIP IN NATIONAL ORGANIZATIONS OR
31 ASSOCIATIONS OF NATUROPATHIC PHYSICIANS.

32 **12-37.3-111. Disclosures - record-keeping.** (1) A
33 NATUROPATHIC DOCTOR SHALL PROVIDE THE FOLLOWING INFORMATION
34 IN WRITING TO EACH PATIENT IN A FORMAT REQUIRED BY THE DIRECTOR:

35 (a) THE NATUROPATHIC DOCTOR'S NAME, BUSINESS ADDRESS, AND
36 TELEPHONE NUMBER;

37 (b) THE NATURE OF THE SERVICES TO BE PROVIDED;

38 (c) A STATEMENT THAT NATUROPATHIC DOCTORS ARE REGISTERED
39 BY THE STATE TO PRACTICE NATUROPATHIC MEDICINE UNDER THE
40 "NATUROPATHIC DOCTOR ACT";

41 (d) THE PROHIBITIONS SPECIFIED IN SECTION 12-37.3-105 (2);

1 (e) THE STATES IN WHICH THE NATUROPATHIC DOCTOR HOLDS AN
2 ACTIVE LICENSE OR REGISTRATION; AND

3 (f) HOW TO FILE A COMPLAINT AGAINST A NATUROPATHIC DOCTOR.

4 (2) A NATUROPATHIC DOCTOR SHALL OBTAIN A WRITTEN
5 ACKNOWLEDGMENT FROM THE PATIENT STATING THAT THE PATIENT HAS
6 BEEN PROVIDED THE INFORMATION DESCRIBED IN SUBSECTION (1) OF THIS
7 SECTION. THE NATUROPATHIC DOCTOR SHALL RETAIN THE
8 ACKNOWLEDGMENT FOR SEVEN YEARS AFTER THE DATE ON WHICH THE
9 LAST SERVICES WERE PROVIDED TO THE PATIENT.

10 (3) IF A NATUROPATHIC DOCTOR TREATS ANY PATIENT WHO IS
11 SEEKING TREATMENT FOR CANCER, THE NATUROPATHIC DOCTOR SHALL
12 RECOMMEND TO THE PATIENT THAT THE PATIENT CONSULT WITH A
13 LICENSED PHYSICIAN SPECIALIZING IN ONCOLOGY AND DOCUMENT THE
14 RECOMMENDATION IN WRITING.

15 **12-37.3-112. Grounds for discipline - disciplinary actions**
16 **authorized - procedures.** (1) THE DIRECTOR MAY DENY, REVOKE, OR
17 SUSPEND THE REGISTRATION OF, ISSUE A LETTER OF ADMONITION TO, OR
18 PLACE ON PROBATION A NATUROPATHIC DOCTOR FOR ANY OF THE
19 FOLLOWING ACTS OR OMISSIONS:

20 (a) VIOLATING, OR AIDING OR ABETTING ANOTHER IN THE
21 VIOLATION OF, THIS ARTICLE OR ANY RULE PROMULGATED BY THE
22 DIRECTOR PURSUANT TO THIS ARTICLE;

23 (b) FALSIFYING INFORMATION IN ANY APPLICATION, ATTEMPTING
24 TO OBTAIN OR OBTAINING A REGISTRATION BY FRAUD, DECEIT, OR
25 MISREPRESENTATION, OR AIDING OR ABETTING SUCH ACT;

26 (c) ENGAGING IN AN ACT OR OMISSION THAT DOES NOT MEET
27 GENERALLY ACCEPTED STANDARDS OF PRACTICE OF NATUROPATHIC
28 MEDICINE OR OF SAFE CARE FOR PATIENTS, WHETHER OR NOT ACTUAL
29 INJURY TO A PATIENT IS ESTABLISHED;

30 (d) HABITUAL OR EXCESSIVE USE OR ABUSE OF ALCOHOL, A
31 HABIT-FORMING DRUG, OR A CONTROLLED SUBSTANCE AS DEFINED IN
32 SECTION 18-18-102 (5), C.R.S.;

33 (e) FAILING TO REFER A PATIENT TO AN APPROPRIATE HEALTH
34 CARE PROFESSIONAL WHEN THE SERVICES REQUIRED BY THE PATIENT ARE
35 BEYOND THE LEVEL OF COMPETENCE OF THE NATUROPATHIC DOCTOR OR
36 BEYOND THE SCOPE OF NATUROPATHIC MEDICINE PRACTICE;

37 (f) VIOLATION OF A LAW OR REGULATION GOVERNING THE
38 PRACTICE OF NATUROPATHIC MEDICINE IN ANOTHER JURISDICTION;

39 (g) FALSIFYING, REPEATEDLY FAILING TO MAKE ESSENTIAL
40 ENTRIES IN, OR REPEATEDLY MAKING INCORRECT ESSENTIAL ENTRIES IN
41 PATIENT RECORDS;

1 (h) CONVICTION OF A FELONY, AN OFFENSE OF MORAL TURPITUDE,
2 OR A CRIME THAT WOULD CONSTITUTE A VIOLATION OF THIS ARTICLE. FOR
3 PURPOSES OF THIS PARAGRAPH (h), "CONVICTION" INCLUDES THE ENTRY
4 OF A PLEA OF GUILTY OR NOLO CONTENDERE OR THE IMPOSITION OF A
5 DEFERRED SENTENCE OR JUDGMENT.

6 (i) ADVERTISING THROUGH NEWSPAPERS, MAGAZINES, CIRCULARS,
7 DIRECT MAIL, DIRECTORIES, RADIO, TELEVISION, OR OTHERWISE THAT THE
8 NATUROPATHIC DOCTOR WILL PERFORM ANY ACT PROHIBITED BY THIS
9 ARTICLE;

10 (j) ENGAGING IN A SEXUAL ACT WITH A PATIENT DURING THE
11 COURSE OF PATIENT CARE OR WITHIN SIX MONTHS IMMEDIATELY
12 FOLLOWING THE WRITTEN TERMINATION OF THE PROFESSIONAL
13 RELATIONSHIP WITH THE PATIENT. AS USED IN THIS PARAGRAPH (j),
14 "SEXUAL ACT" MEANS SEXUAL CONTACT, SEXUAL INTRUSION, OR SEXUAL
15 PENETRATION, AS THOSE TERMS ARE DEFINED IN SECTION 18-3-401, C.R.S.

16 (k) COMMITTING ABUSE OF HEALTH INSURANCE, AS PROHIBITED BY
17 SECTION 18-13-119, C.R.S.;

18 (l) ADVERTISING THROUGH NEWSPAPERS, MAGAZINES, CIRCULARS,
19 DIRECT MAIL, DIRECTORIES, RADIO, TELEVISION, OR OTHERWISE THAT THE
20 NATUROPATHIC DOCTOR WILL PERFORM ANY ACT PROHIBITED BY SECTION
21 18-13-119 (3), C.R.S.;

22 (m) VIOLATING A VALID ORDER OF THE DIRECTOR;

23 (n) FAILING TO REPORT TO THE DIRECTOR, WITHIN THIRTY DAYS
24 AFTER AN ADVERSE ACTION, THAT AN ADVERSE ACTION HAS BEEN TAKEN
25 AGAINST THE NATUROPATHIC DOCTOR BY A LICENSING AGENCY IN
26 ANOTHER STATE OR COUNTRY, A PEER REVIEW BODY, A HEALTH CARE
27 INSTITUTION, A PROFESSIONAL OR NATUROPATHIC MEDICAL SOCIETY OR
28 ASSOCIATION, A GOVERNMENTAL AGENCY, A LAW ENFORCEMENT AGENCY,
29 OR A COURT FOR ACTS OR CONDUCT THAT WOULD CONSTITUTE GROUNDS
30 FOR DISCIPLINARY OR ADVERSE ACTION AS DESCRIBED IN THIS ARTICLE;

31 (o) FAILING TO REPORT TO THE DIRECTOR, WITHIN THIRTY DAYS:

32 (I) THE SURRENDER OF A LICENSE OR OTHER AUTHORIZATION TO
33 PRACTICE AS A NATUROPATHIC DOCTOR IN ANOTHER STATE OR
34 JURISDICTION; OR

35 (II) THE SURRENDER OF MEMBERSHIP ON A MEDICAL STAFF OR IN
36 A NATUROPATHIC MEDICAL OR PROFESSIONAL ASSOCIATION OR SOCIETY
37 WHILE UNDER INVESTIGATION BY ANY OF THOSE AUTHORITIES OR BODIES
38 FOR ACTS OR CONDUCT SIMILAR TO ACTS OR CONDUCT THAT WOULD
39 CONSTITUTE GROUNDS FOR ACTION AS DESCRIBED IN THIS ARTICLE;

40 (p) (I) FAILING TO NOTIFY THE DIRECTOR OF A PHYSICAL OR
41 MENTAL ILLNESS OR CONDITION THAT AFFECTS THE NATUROPATHIC

1 DOCTOR'S ABILITY TO TREAT PATIENTS WITH REASONABLE SKILL AND
2 SAFETY OR THAT MAY ENDANGER THE HEALTH OR SAFETY OF PERSONS
3 UNDER HIS OR HER CARE;

4 (II) FAILING TO ACT WITHIN THE LIMITATIONS CREATED BY A
5 PHYSICAL OR MENTAL ILLNESS OR CONDITION THAT RENDERS THE
6 NATUROPATHIC DOCTOR UNABLE TO PRACTICE NATUROPATHIC MEDICINE
7 WITH REASONABLE SKILL AND SAFETY OR THAT MAY ENDANGER THE
8 HEALTH OR SAFETY OF PERSONS UNDER HIS OR HER CARE; OR

9 (III) FAILING TO COMPLY WITH THE LIMITATIONS AGREED TO
10 UNDER A CONFIDENTIAL AGREEMENT ENTERED PURSUANT TO SECTION
11 12-37.3-116;

12 (q) FAILING TO TIMELY RESPOND TO A COMPLAINT FILED AGAINST
13 THE NATUROPATHIC DOCTOR;

14 (r) FAILING TO DEVELOP A WRITTEN PLAN FOR THE SECURITY OF
15 PATIENT MEDICAL RECORDS IN ACCORDANCE WITH SECTION 12-37.3-115;

16 (s) REFUSING TO SUBMIT TO A PHYSICAL OR MENTAL EXAMINATION
17 WHEN SO ORDERED BY THE DIRECTOR PURSUANT TO SECTION 12-37.3-117;

18 (t) FAILING TO OBTAIN AND CONTINUALLY MAINTAIN
19 PROFESSIONAL LIABILITY INSURANCE AS REQUIRED BY SECTION
20 12-37.3-114.

21 (2) IN ADDITION TO OR AS AN ALTERNATIVE TO THE DISCIPLINE
22 AUTHORIZED BY SUBSECTION (1) OF THIS SECTION, THE DIRECTOR MAY
23 ASSESS AN ADMINISTRATIVE FINE OF UP TO FIVE THOUSAND DOLLARS
24 AGAINST A NATUROPATHIC DOCTOR WHO COMMITS ANY OF THE ACTS OR
25 OMISSIONS DESCRIBED IN SUBSECTION (1) OF THIS SECTION. THE DIRECTOR
26 SHALL TRANSMIT ANY MONEYS COLLECTED PURSUANT TO THIS
27 SUBSECTION (2) TO THE STATE TREASURER FOR DEPOSIT IN THE GENERAL
28 FUND.

29 (3) ANY PERSON WHOSE REGISTRATION IS REVOKED OR WHO
30 SURRENDERS HIS OR HER REGISTRATION TO AVOID DISCIPLINE IS
31 INELIGIBLE TO APPLY FOR A REGISTRATION UNDER THIS ARTICLE FOR AT
32 LEAST TWO YEARS AFTER THE DATE OF REVOCATION OR SURRENDER OF
33 THE REGISTRATION.

34 (4) THE DIRECTOR SHALL CONDUCT ANY PROCEEDING TO DENY,
35 SUSPEND, OR REVOKE A REGISTRATION OR PLACE A NATUROPATHIC
36 DOCTOR ON PROBATION IN ACCORDANCE WITH SECTIONS 24-4-104 AND
37 24-4-105, C.R.S. THE DIRECTOR MAY DESIGNATE AN ADMINISTRATIVE
38 LAW JUDGE PURSUANT TO PART 10 OF ARTICLE 30 OF TITLE 24, C.R.S., TO
39 CONDUCT THE PROCEEDING. THE ADMINISTRATIVE LAW JUDGE SHALL
40 CONDUCT THE PROCEEDING IN ACCORDANCE WITH SECTIONS 24-4-104 AND
41 24-4-105, C.R.S. A FINAL DECISION OF THE DIRECTOR OR THE

1 ADMINISTRATIVE LAW JUDGE IS SUBJECT TO JUDICIAL REVIEW BY THE
2 COURT OF APPEALS PURSUANT TO SECTION 24-4-106 (11), C.R.S.

3 (5) THE DIRECTOR MAY ACCEPT AS PRIMA FACIE EVIDENCE OF
4 GROUNDS FOR DISCIPLINARY ACTION ANY DISCIPLINARY ACTION TAKEN
5 AGAINST A NATUROPATHIC DOCTOR BY ANOTHER JURISDICTION IF THE
6 VIOLATION THAT PROMPTED THE DISCIPLINARY ACTION WOULD BE
7 GROUNDS FOR DISCIPLINARY ACTION UNDER THIS ARTICLE.

8 (6) (a) THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE MAY
9 ADMINISTER OATHS, TAKE AFFIRMATIONS OF WITNESSES, AND ISSUE
10 SUBPOENAS TO COMPEL THE ATTENDANCE OF WITNESSES AND THE
11 PRODUCTION OF ALL RELEVANT PAPERS, BOOKS, RECORDS, DOCUMENTARY
12 EVIDENCE, AND MATERIALS IN ANY HEARING, INVESTIGATION,
13 ACCUSATION, OR OTHER MATTER BEFORE THE DIRECTOR OR
14 ADMINISTRATIVE LAW JUDGE. THE DIRECTOR MAY APPOINT AN
15 ADMINISTRATIVE LAW JUDGE PURSUANT TO PART 10 OF ARTICLE 30 OF
16 TITLE 24, C.R.S., TO TAKE EVIDENCE AND TO MAKE FINDINGS AND REPORT
17 THEM TO THE DIRECTOR, INCLUDING HOSPITAL AND NATUROPATHIC
18 DOCTOR RECORDS. THE PERSON PROVIDING COPIES OF RECORDS SHALL
19 PREPARE THE COPIES FROM THE ORIGINAL RECORD, DELETING THE NAME
20 OF THE PATIENT AND INSTEAD IDENTIFYING THE PATIENT BY A NUMBERED
21 CODE. UPON CERTIFICATION BY THE CUSTODIAN THAT THE COPIES ARE
22 TRUE AND COMPLETE EXCEPT FOR THE PATIENT'S NAME, THE COPIES ARE
23 DEEMED AUTHENTIC, SUBJECT TO THE RIGHT TO INSPECT THE ORIGINALS
24 FOR THE LIMITED PURPOSE OF ASCERTAINING THE ACCURACY OF THE
25 COPIES. THE COPIES ARE NOT CONFIDENTIAL, AND THE DIRECTOR OR
26 CUSTODIAN OF THE RECORDS AND THEIR AUTHORIZED EMPLOYEES ARE
27 NOT LIABLE FOR FURNISHING OR USING THE COPIES IN ACCORDANCE WITH
28 THIS SECTION.

29 (b) IF A WITNESS OR NATUROPATHIC DOCTOR FAILS TO COMPLY
30 WITH A SUBPOENA OR PROCESS, THE DIRECTOR MAY APPLY TO THE
31 DISTRICT COURT OF THE COUNTY IN WHICH THE SUBPOENAED PERSON OR
32 NATUROPATHIC DOCTOR RESIDES OR CONDUCTS BUSINESS FOR AN ORDER
33 DIRECTING THE PERSON OR NATUROPATHIC DOCTOR TO APPEAR BEFORE
34 THE DIRECTOR; TO PRODUCE THE RELEVANT PAPERS, BOOKS, RECORDS,
35 DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR TO GIVE
36 EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN QUESTION.
37 THE DIRECTOR SHALL PROVIDE NOTICE TO THE SUBPOENAED PERSON OR
38 NATUROPATHIC DOCTOR OF THE DIRECTOR'S APPLICATION TO THE DISTRICT
39 COURT, AND THE COURT SHALL NOT ISSUE THE ORDER ABSENT THE NOTICE.
40 IF THE SUBPOENAED PERSON OR NATUROPATHIC DOCTOR FAILS TO OBEY
41 THE COURT'S ORDER, THE COURT MAY HOLD THE PERSON IN CONTEMPT OF

1 COURT.

2 (7) (a) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN
3 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR, DOES
4 NOT WARRANT FORMAL ACTION BY THE DIRECTOR BUT THAT SHOULD NOT
5 BE DISMISSED AS BEING WITHOUT MERIT, THE DIRECTOR MAY ISSUE A
6 LETTER OF ADMONITION TO THE NATUROPATHIC DOCTOR.

7 (b) WHEN THE DIRECTOR SENDS A LETTER OF ADMONITION TO A
8 REGISTRANT, THE LETTER MUST ADVISE THE REGISTRANT THAT HE OR SHE
9 HAS THE RIGHT TO REQUEST IN WRITING, WITHIN TWENTY DAYS AFTER
10 RECEIPT OF THE LETTER, THAT FORMAL DISCIPLINARY PROCEEDINGS BE
11 INITIATED TO ADJUDICATE THE PROPRIETY OF THE CONDUCT UPON WHICH
12 THE LETTER OF ADMONITION IS BASED.

13 (c) IF THE REGISTRANT TIMELY REQUESTS ADJUDICATION, THE
14 DIRECTOR SHALL VACATE THE LETTER OF ADMONITION AND PROCESS THE
15 MATTER BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

16 (8) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN
17 INSTANCE OF CONDUCT THAT DOES NOT WARRANT FORMAL ACTION BY THE
18 DIRECTOR AND, IN THE OPINION OF THE DIRECTOR, SHOULD BE DISMISSED,
19 BUT THE DIRECTOR HAS NOTICED INDICATIONS OF POSSIBLE ERRANT
20 CONDUCT BY THE REGISTRANT THAT COULD LEAD TO SERIOUS
21 CONSEQUENCES IF NOT CORRECTED, THE DIRECTOR MAY SEND THE
22 REGISTRANT A CONFIDENTIAL LETTER OF CONCERN.

23 (9) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
24 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR,
25 WARRANTS FORMAL ACTION, THE DIRECTOR SHALL NOT RESOLVE THE
26 COMPLAINT BY A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR
27 PROSECUTION.

28 (10) (a) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
29 EVIDENCE AS PRESENTED IN A WRITTEN COMPLAINT BY ANY PERSON, THAT
30 A REGISTRANT IS ACTING IN A MANNER THAT IS AN IMMINENT THREAT TO
31 THE HEALTH AND SAFETY OF THE PUBLIC OR A PERSON IS ACTING OR HAS
32 ACTED WITHOUT THE REQUIRED REGISTRATION, THE DIRECTOR MAY ISSUE
33 AN ORDER TO CEASE AND DESIST THE ACTIVITY. THE DIRECTOR SHALL SET
34 FORTH IN THE ORDER THE STATUTES AND RULES ALLEGED TO HAVE BEEN
35 VIOLATED, THE FACTS ALLEGED TO HAVE CONSTITUTED THE VIOLATION,
36 AND THE REQUIREMENT THAT ALL UNLAWFUL ACTS OR UNREGISTERED
37 PRACTICES IMMEDIATELY CEASE.

38 (b) WITHIN TEN DAYS AFTER SERVICE OF THE ORDER TO CEASE AND
39 DESIST PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (10), THE
40 RESPONDENT MAY REQUEST A HEARING ON THE QUESTION OF WHETHER
41 ACTS OR PRACTICES IN VIOLATION OF THIS ARTICLE HAVE OCCURRED. THE

1 DIRECTOR OR ADMINISTRATIVE LAW JUDGE SHALL CONDUCT THE HEARING
2 IN ACCORDANCE WITH SECTIONS 24-4-104 AND 24-4-105, C.R.S.

3 (11) (a) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
4 EVIDENCE AS PRESENTED IN A WRITTEN COMPLAINT BY ANY PERSON, THAT
5 A PERSON HAS VIOLATED ANY OTHER PORTION OF THIS ARTICLE, THE
6 DIRECTOR MAY ISSUE TO THE PERSON AN ORDER TO SHOW CAUSE AS TO
7 WHY THE DIRECTOR SHOULD NOT ISSUE A FINAL ORDER DIRECTING THE
8 PERSON TO CEASE AND DESIST FROM THE UNLAWFUL ACT OR
9 UNREGISTERED PRACTICE.

10 (b) THE DIRECTOR SHALL PROMPTLY NOTIFY THE PERSON THAT HE
11 OR SHE HAS BEEN ISSUED AN ORDER TO SHOW CAUSE. THE DIRECTOR
12 SHALL INCLUDE IN THE NOTICE A COPY OF THE ORDER, THE FACTUAL AND
13 LEGAL BASIS FOR THE ORDER, AND THE DATE SET BY THE DIRECTOR FOR A
14 HEARING ON THE ORDER. THE DIRECTOR MAY SERVE THE NOTICE ON THE
15 PERSON BY PERSONAL SERVICE, BY FIRST-CLASS UNITED STATES MAIL,
16 POSTAGE PREPAID, OR IN ANY OTHER MANNER THAT IS PRACTICABLE.
17 PERSONAL SERVICE OR MAILING OF AN ORDER OR DOCUMENT PURSUANT
18 TO THIS SUBSECTION (11) CONSTITUTES NOTICE TO THE PERSON.

19 (c) (I) THE DIRECTOR SHALL COMMENCE THE HEARING ON AN
20 ORDER TO SHOW CAUSE NO EARLIER THAN TEN AND NO LATER THAN
21 FORTY-FIVE CALENDAR DAYS AFTER THE DATE OF TRANSMISSION OR
22 SERVICE OF THE NOTIFICATION BY THE DIRECTOR AS PROVIDED IN
23 PARAGRAPH (b) OF THIS SUBSECTION (11). THE DIRECTOR MAY CONTINUE
24 THE HEARING UPON AGREEMENT OF ALL PARTIES BASED UPON THE
25 COMPLEXITY OF THE MATTER, THE NUMBER OF PARTIES TO THE MATTER,
26 AND THE LEGAL ISSUES PRESENTED IN THE MATTER, BUT IN NO EVENT
27 SHALL THE DIRECTOR CONTINUE THE HEARING MORE THAN SIXTY
28 CALENDAR DAYS AFTER THE DATE OF TRANSMISSION OR SERVICE OF THE
29 NOTIFICATION.

30 (II) IF A PERSON AGAINST WHOM AN ORDER TO SHOW CAUSE HAS
31 BEEN ISSUED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (11) DOES
32 NOT APPEAR AT THE HEARING, THE DIRECTOR MAY PRESENT EVIDENCE
33 THAT NOTIFICATION WAS PROPERLY SENT OR SERVED UPON THE PERSON
34 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (11) AND OTHER
35 EVIDENCE RELATED TO THE MATTER THAT THE DIRECTOR DEEMS
36 APPROPRIATE. THE DIRECTOR SHALL ISSUE THE ORDER WITHIN TEN DAYS
37 AFTER THE DIRECTOR'S DETERMINATION RELATED TO REASONABLE
38 ATTEMPTS TO NOTIFY THE RESPONDENT, AND THE ORDER IS FINAL AS TO
39 THAT PERSON BY OPERATION OF LAW. THE DIRECTOR SHALL CONDUCT THE
40 HEARING IN ACCORDANCE WITH SECTIONS 24-4-104 AND 24-4-105, C.R.S.

41 (III) IF THE DIRECTOR REASONABLY FINDS THAT THE PERSON

1 AGAINST WHOM THE ORDER TO SHOW CAUSE WAS ISSUED IS ACTING OR
2 HAS ACTED WITHOUT THE REQUIRED REGISTRATION OR HAS OR IS ABOUT
3 TO ENGAGE IN ACTS OR PRACTICES CONSTITUTING VIOLATIONS OF THIS
4 ARTICLE, THE DIRECTOR MAY ISSUE A FINAL CEASE-AND-DESIST ORDER
5 DIRECTING THE PERSON TO CEASE AND DESIST FROM FURTHER UNLAWFUL
6 ACTS OR UNREGISTERED PRACTICES.

7 (IV) THE DIRECTOR SHALL PROVIDE NOTICE, IN THE MANNER SET
8 FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (11), OF THE FINAL
9 CEASE-AND-DESIST ORDER WITHIN TEN CALENDAR DAYS AFTER THE
10 HEARING CONDUCTED PURSUANT TO THIS PARAGRAPH (c) TO EACH PERSON
11 AGAINST WHOM THE FINAL ORDER HAS BEEN ISSUED. THE FINAL ORDER IS
12 EFFECTIVE WHEN ISSUED AND IS A FINAL ORDER FOR PURPOSES OF JUDICIAL
13 REVIEW.

14 (12) THE DIRECTOR MAY ENTER INTO A STIPULATION WITH A
15 PERSON IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE EVIDENCE
16 PRESENTED TO THE DIRECTOR, THAT THE PERSON HAS ENGAGED IN OR IS
17 ABOUT TO ENGAGE IN:

- 18 (a) AN UNREGISTERED ACT OR PRACTICE;
- 19 (b) AN ACT OR PRACTICE CONSTITUTING A VIOLATION OF THIS
20 ARTICLE OR OF ANY RULE PROMULGATED PURSUANT TO THIS ARTICLE;
- 21 (c) A VIOLATION OF AN ORDER ISSUED PURSUANT TO THIS ARTICLE;
- 22 OR
- 23 (d) AN ACT OR PRACTICE CONSTITUTING GROUNDS FOR
24 ADMINISTRATIVE SANCTION PURSUANT TO THIS ARTICLE.

25 (13) IF A PERSON FAILS TO COMPLY WITH A FINAL
26 CEASE-AND-DESIST ORDER OR A STIPULATION, THE DIRECTOR MAY
27 REQUEST THE ATTORNEY GENERAL OR THE DISTRICT ATTORNEY FOR THE
28 JUDICIAL DISTRICT IN WHICH THE ALLEGED VIOLATION OCCURRED OR IS
29 OCCURRING TO BRING, AND IF SO REQUESTED THE ATTORNEY SHALL BRING,
30 SUIT FOR A TEMPORARY RESTRAINING ORDER AND FOR INJUNCTIVE RELIEF
31 TO PREVENT ANY FURTHER OR CONTINUED VIOLATION OF THE FINAL
32 ORDER.

33 (14) A PERSON AGGRIEVED BY THE FINAL CEASE-AND-DESIST
34 ORDER MAY SEEK JUDICIAL REVIEW OF THE DIRECTOR'S DETERMINATION
35 OR OF THE DIRECTOR'S FINAL ORDER IN A COURT OF COMPETENT
36 JURISDICTION.

37 **12-37.3-113. Unauthorized practice - penalties.** A PERSON WHO
38 PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE AS A NATUROPATHIC
39 DOCTOR WITHOUT AN ACTIVE REGISTRATION ISSUED UNDER THIS ARTICLE
40 COMMITS A CLASS 2 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED
41 IN SECTION 18-1.3-501, C.R.S.

1 **12-37.3-114. Professional liability insurance required -**
2 **vicarious liability - rules.** (1) IT IS UNLAWFUL FOR A PERSON TO
3 PRACTICE AS A NATUROPATHIC DOCTOR IN THIS STATE UNLESS THE PERSON
4 IS COVERED BY PROFESSIONAL LIABILITY INSURANCE IN AN AMOUNT NOT
5 LESS THAN ONE MILLION DOLLARS.

6 (2) PROFESSIONAL LIABILITY INSURANCE REQUIRED BY THIS
7 SECTION MUST COVER ALL ACTS WITHIN THE SCOPE OF PRACTICE OF A
8 NATUROPATHIC DOCTOR.

9 (3) A NATUROPATHIC DOCTOR IS LIABLE FOR HIS OR HER ACTS OR
10 OMISSIONS IN THE PERFORMANCE OF NATUROPATHIC MEDICINE.

11 **12-37.3-115. Protection of medical records - registrant's**
12 **obligations - verification of compliance - noncompliance grounds for**
13 **discipline - rules.** (1) EACH NATUROPATHIC DOCTOR SHALL DEVELOP A
14 WRITTEN PLAN TO ENSURE THE SECURITY OF PATIENT MEDICAL RECORDS.
15 THE PLAN MUST ADDRESS AT LEAST THE FOLLOWING:

16 (a) THE STORAGE AND PROPER DISPOSAL OF PATIENT MEDICAL
17 RECORDS;

18 (b) THE DISPOSITION OF PATIENT MEDICAL RECORDS IN THE EVENT
19 THE NATUROPATHIC DOCTOR DIES, RETIRES, OR OTHERWISE CEASES TO
20 PRACTICE OR PROVIDE NATUROPATHIC MEDICAL CARE TO PATIENTS; AND

21 (c) THE METHOD BY WHICH PATIENTS MAY ACCESS OR OBTAIN
22 THEIR MEDICAL RECORDS PROMPTLY IF ANY OF THE EVENTS DESCRIBED IN
23 PARAGRAPH (b) OF THIS SUBSECTION (1) OCCURS.

24 (2) UPON INITIAL REGISTRATION UNDER THIS ARTICLE, THE
25 APPLICANT OR REGISTRANT SHALL ATTEST TO THE DIRECTOR THAT HE OR
26 SHE HAS DEVELOPED A PLAN IN COMPLIANCE WITH THIS SECTION.

27 (3) A NATUROPATHIC DOCTOR SHALL INFORM EACH PATIENT IN
28 WRITING OF THE METHOD BY WHICH THE PATIENT MAY ACCESS OR OBTAIN
29 HIS OR HER MEDICAL RECORDS IF AN EVENT DESCRIBED IN PARAGRAPH (b)
30 OF SUBSECTION (1) OF THIS SECTION OCCURS.

31 (4) THE DIRECTOR MAY ADOPT RULES REASONABLY NECESSARY TO
32 IMPLEMENT THIS SECTION.

33 **12-37.3-116. Confidential agreement to limit practice -**
34 **violation - grounds for discipline.** (1) IF A NATUROPATHIC DOCTOR HAS
35 A PHYSICAL OR MENTAL ILLNESS OR CONDITION THAT RENDERS HIM OR
36 HER UNABLE TO PRACTICE NATUROPATHIC MEDICINE WITH REASONABLE
37 SKILL AND SAFETY TO PATIENTS, THE NATUROPATHIC DOCTOR SHALL
38 NOTIFY THE DIRECTOR OF THE ILLNESS OR CONDITION IN A MANNER AND
39 WITHIN A PERIOD DETERMINED BY THE DIRECTOR. THE DIRECTOR MAY
40 REQUIRE THE NATUROPATHIC DOCTOR TO SUBMIT TO AN EXAMINATION TO
41 EVALUATE THE EXTENT OF THE ILLNESS OR CONDITION AND ITS IMPACT ON

1 THE NATUROPATHIC DOCTOR'S ABILITY TO PRACTICE NATUROPATHIC
2 MEDICINE WITH REASONABLE SKILL AND SAFETY TO PATIENTS.

3 (2) (a) UPON DETERMINING THAT A NATUROPATHIC DOCTOR WITH
4 A PHYSICAL OR MENTAL ILLNESS OR CONDITION IS ABLE TO RENDER
5 LIMITED SERVICES WITH REASONABLE SKILL AND SAFETY TO PATIENTS,
6 THE DIRECTOR MAY ENTER INTO A CONFIDENTIAL AGREEMENT WITH THE
7 NATUROPATHIC DOCTOR IN WHICH THE NATUROPATHIC DOCTOR AGREES
8 TO LIMIT HIS OR HER PRACTICE BASED ON THE RESTRICTIONS IMPOSED BY
9 THE ILLNESS OR CONDITION, AS DETERMINED BY THE DIRECTOR.

10 (b) AS PART OF THE AGREEMENT, THE NATUROPATHIC DOCTOR IS
11 SUBJECT TO PERIODIC REEVALUATIONS OR MONITORING AS DETERMINED
12 APPROPRIATE BY THE DIRECTOR.

13 (c) THE PARTIES MAY MODIFY OR DISSOLVE THE AGREEMENT AS
14 NECESSARY BASED ON THE RESULTS OF A REEVALUATION OR MONITORING.

15 (3) BY ENTERING INTO AN AGREEMENT WITH THE DIRECTOR
16 PURSUANT TO THIS SECTION TO LIMIT HIS OR HER PRACTICE, A
17 NATUROPATHIC DOCTOR IS NOT ENGAGING IN ACTIVITIES THAT ARE
18 PROHIBITED PURSUANT TO SECTION 12-37.3-112. THE AGREEMENT DOES
19 NOT CONSTITUTE A RESTRICTION OR DISCIPLINE BY THE DIRECTOR.
20 HOWEVER, IF THE NATUROPATHIC DOCTOR FAILS TO COMPLY WITH THE
21 TERMS OF AN AGREEMENT ENTERED INTO PURSUANT TO THIS SECTION, THE
22 FAILURE CONSTITUTES A PROHIBITED ACTIVITY PURSUANT TO SECTION
23 12-37.3-112 (1) (p), AND THE NATUROPATHIC DOCTOR IS SUBJECT TO
24 DISCIPLINE IN ACCORDANCE WITH SECTION 12-37.3-112.

25 (4) THIS SECTION DOES NOT APPLY TO A NATUROPATHIC DOCTOR
26 SUBJECT TO DISCIPLINE FOR PROHIBITED ACTIVITIES AS DESCRIBED IN
27 SECTION 12-37.3-112 (1) (d).

28 **12-37.3-117. Mental and physical examination of registrants.**

29 (1) IF THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT A
30 REGISTRANT IS UNABLE TO PRACTICE WITH REASONABLE SKILL AND
31 SAFETY, THE DIRECTOR MAY REQUIRE THE REGISTRANT TO TAKE A MENTAL
32 OR PHYSICAL EXAMINATION BY A HEALTH CARE PROVIDER DESIGNATED BY
33 THE DIRECTOR. IF THE REGISTRANT REFUSES TO UNDERGO A MENTAL OR
34 PHYSICAL EXAMINATION, UNLESS DUE TO CIRCUMSTANCES BEYOND THE
35 REGISTRANT'S CONTROL, THE DIRECTOR MAY SUSPEND THE REGISTRANT'S
36 REGISTRATION UNTIL THE RESULTS OF THE EXAMINATION ARE KNOWN AND
37 THE DIRECTOR HAS MADE A DETERMINATION OF THE REGISTRANT'S
38 FITNESS TO PRACTICE. THE DIRECTOR SHALL PROCEED WITH AN ORDER FOR
39 EXAMINATION AND DETERMINATION IN A TIMELY MANNER.

40 (2) THE DIRECTOR SHALL INCLUDE IN AN ORDER ISSUED UNDER
41 SUBSECTION (1) OF THIS SECTION THE BASIS OF THE DIRECTOR'S

1 REASONABLE CAUSE TO BELIEVE THAT THE REGISTRANT IS UNABLE TO
2 PRACTICE WITH REASONABLE SKILL AND SAFETY. FOR THE PURPOSES OF A
3 DISCIPLINARY PROCEEDING AUTHORIZED BY THIS ARTICLE, THE
4 REGISTRANT IS DEEMED TO WAIVE ALL OBJECTIONS TO THE ADMISSIBILITY
5 OF THE EXAMINING HEALTH CARE PROVIDER'S TESTIMONY OR
6 EXAMINATION REPORTS ON THE GROUND THAT THE TESTIMONY AND
7 REPORTS ARE PRIVILEGED COMMUNICATIONS.

8 (3) THE REGISTRANT MAY SUBMIT TO THE DIRECTOR TESTIMONY
9 OR EXAMINATION REPORTS FROM A HEALTH CARE PROVIDER CHOSEN BY
10 THE REGISTRANT PERTAINING TO THE CONDITION THAT THE DIRECTOR
11 ALLEGES MAY PRECLUDE THE REGISTRANT FROM PRACTICING WITH
12 REASONABLE SKILL AND SAFETY. THE DIRECTOR MAY CONSIDER
13 TESTIMONY AND EXAMINATION REPORTS SUBMITTED BY THE REGISTRANT
14 IN CONJUNCTION WITH, BUT NOT IN LIEU OF, TESTIMONY AND
15 EXAMINATION REPORTS OF THE HEALTH CARE PROVIDER DESIGNATED BY
16 THE DIRECTOR.

17 (4) A PERSON SHALL NOT USE THE RESULTS OF ANY MENTAL OR
18 PHYSICAL EXAMINATION ORDERED BY THE DIRECTOR AS EVIDENCE IN ANY
19 PROCEEDING OTHER THAN ONE BEFORE THE DIRECTOR. THE EXAMINATION
20 RESULTS ARE NOT PUBLIC RECORDS AND ARE NOT AVAILABLE TO THE
21 PUBLIC.

22 **12-37.3-118. Inactive registration - rules.** A NATUROPATHIC
23 DOCTOR MAY REQUEST THAT THE DIRECTOR INACTIVATE OR ACTIVATE THE
24 NATUROPATHIC DOCTOR'S REGISTRATION. THE DIRECTOR SHALL
25 PROMULGATE RULES GOVERNING THE ACTIVATION AND INACTIVATION OF
26 REGISTRATIONS. NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE
27 DIRECTOR'S RULES MAY LIMIT THE APPLICABILITY OF STATUTORY
28 REQUIREMENTS FOR MAINTAINING PROFESSIONAL LIABILITY INSURANCE
29 AND CONTINUING PROFESSIONAL COMPETENCY FOR A REGISTRANT WHOSE
30 REGISTRATION IS CURRENTLY INACTIVE. THE DIRECTOR NEED NOT
31 REACTIVATE AN INACTIVE REGISTRATION IF THE NATUROPATHIC DOCTOR
32 HAS COMMITTED ANY ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY
33 ACTION UNDER SECTION 12-37.3-112. A NATUROPATHIC DOCTOR WHOSE
34 REGISTRATION IS CURRENTLY INACTIVE SHALL NOT PRACTICE
35 NATUROPATHIC MEDICINE.

36 **12-37.3-119. Repeal of article.** THIS ARTICLE IS REPEALED,
37 EFFECTIVE SEPTEMBER 1, 2017. PRIOR TO THE REPEAL, THE DEPARTMENT
38 OF REGULATORY AGENCIES SHALL REVIEW REGISTERING OF
39 NATUROPATHIC DOCTORS AS PROVIDED IN SECTION 24-34-104, C.R.S.

40 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add**
41 (48.5) (d) as follows:

1 **24-34-104. General assembly review of regulatory agencies**
2 **and functions for termination, continuation, or reestablishment.**
3 (48.5) The following agencies, functions, or both, terminate on
4 September 1, 2017:

5 (d) THE REGISTERING OF NATUROPATHIC DOCTORS BY THE
6 DIRECTOR PURSUANT TO ARTICLE 37.3 OF TITLE 12, C.R.S.

7 **SECTION 3.** In Colorado Revised Statutes, 24-34-110, **add** (3)
8 (a) (XXI) as follows:

9 **24-34-110. Medical transparency act of 2010 - disclosure of**
10 **information about health care licensees - fines - rules - short title -**
11 **legislative declaration.** (3) (a) As used in this section, "applicant" means
12 a person applying for a new, active license, certification, or registration
13 or to renew, reinstate, or reactivate an active license, certification, or
14 registration to practice:

15 (XXI) NATUROPATHIC MEDICINE PURSUANT TO ARTICLE 37.3 OF
16 TITLE 12, C.R.S.

17 **SECTION 4. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2014 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor."

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