

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0900.01 Kristen Forrestal x4217

SENATE BILL 13-207

SENATE SPONSORSHIP

Giron,

HOUSE SPONSORSHIP

Levy,

Senate Committees

Health & Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE PERFORMANCE OF AURICULAR ACUDETUX BY**
102 **TRAINED MENTAL HEALTH PROFESSIONALS, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill allows a licensed, registered, or certified mental health care professional, who has been appropriately trained, to perform auricular acudetox. The auricular acudetox must be performed within the health care professional's current scope of practice.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-29.5-105, **add** (3)
3 as follows:

4 **12-29.5-105. Unlawful acts - exceptions - definition.**

5 (3) (a) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE
6 CONTRARY, A MENTAL HEALTH CARE PROFESSIONAL WHO IS LICENSED,
7 REGISTERED, OR CERTIFIED PURSUANT TO ARTICLE 43 OF THIS TITLE AND
8 WHO HAS PROVIDED DOCUMENTATION THAT HE OR SHE HAS BEEN TRAINED
9 TO PERFORM AURICULAR ACUDETUX IN COMPLIANCE WITH PARAGRAPH (d)
10 OF THIS SUBSECTION (3) MAY PERFORM AURICULAR ACUDETUX. THE
11 AURICULAR ACUDETUX MUST BE PERFORMED UNDER THE MENTAL HEALTH
12 CARE PROFESSIONAL'S CURRENT SCOPE OF PRACTICE.

13 (b) A MENTAL HEALTH PROFESSIONAL PERFORMING AURICULAR
14 ACUDETUX PURSUANT TO THIS SUBSECTION (3) SHALL NOT USE THE TITLE
15 "ACUPUNCTURIST" OR OTHERWISE CLAIM TO BE A PERSON QUALIFIED TO
16 PERFORM ACUPUNCTURE BEYOND THE SCOPE OF THIS SUBSECTION (3).

17 (c) AS USED IN THIS SUBSECTION (3) "AURICULAR ACUDETUX"
18 MEANS THE SUBCUTANEOUS INSERTION OF STERILE, DISPOSABLE
19 ACUPUNCTURE NEEDLES IN THE FOLLOWING FIVE CONSISTENT,
20 PREDETERMINED BILATERAL LOCATIONS:

21 (I) SYMPATHETIC;

22 (II) SHEN MEN;

23 (III) KIDNEY;

24 (IV) LIVER; AND

25 (V) LUNG.

26 (d) IN ORDER TO PERFORM AURICULAR ACUDETUX PURSUANT TO

1 THIS SUBSECTION (3), A MENTAL HEALTH CARE PROFESSIONAL MUST
2 SUCCESSFULLY COMPLETE A TRAINING PROGRAM IN AURICULAR
3 ACUDETUX FOR THE TREATMENT OF ALCOHOLISM, SUBSTANCE ABUSE, OR
4 CHEMICAL DEPENDENCY THAT MEETS OR EXCEEDS STANDARDS OF
5 TRAINING ESTABLISHED BY THE NATIONAL ACUPUNCTURE DETOXIFICATION
6 ASSOCIATION OR ANOTHER ORGANIZATION APPROVED BY THE DIRECTOR.

7 **SECTION 2. Appropriation.** (1) In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 division of professions and occupations cash fund created in section
10 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise
11 appropriated, to the department of regulatory agencies, for the fiscal year
12 beginning July 1, 2013, the sum of \$10,020, or so much thereof as may
13 be necessary, to be allocated for the implementation of this act as follows:

14 (a) \$3,840 to the division of professions and occupations for
15 expert consulting; and

16 (b) \$6,180 to the executive director's office and administrative
17 services for the purchase of legal services.

18 (2) In addition to any other appropriation, there is hereby
19 appropriated to the department of law, for the fiscal year beginning July
20 1, 2013, the sum of \$6,180, or so much thereof as may be necessary, for
21 the provision of legal services for the department of regulatory agencies
22 related to the implementation of this act. Said sum is from reappropriated
23 funds received from the department of regulatory agencies out of the
24 appropriation made in paragraph (b) of subsection (1) of this section.

25 **SECTION 3. Effective date.** This act takes effect July 1, 2013.

26 **SECTION 4. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.