

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 15-0060.01 Kristen Forrestal x4217

HOUSE BILL 15-1067

HOUSE SPONSORSHIP

Kraft-Tharp and Landgraf,

SENATE SPONSORSHIP

Newell,

House Committees

Health, Insurance, & Environment
Appropriations

Senate Committees

Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE ESTABLISHMENT OF A CONTINUING PROFESSIONAL**
102 **DEVELOPMENT PROGRAM FOR LICENSED PSYCHOLOGISTS.**

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 requires a licensed psychologist to complete continuing professional development and educational hours to maintain his or her license as a psychologist. The state board of psychologist examiners (board) is required to adopt rules establishing a continuing professional development program that includes:

! The development, execution, and documentation of a

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.

SENATE
3rd Reading Unamended
March 19, 2015

SENATE
Amended 2nd Reading
March 18, 2015

HOUSE
3rd Reading Unamended
February 4, 2015

HOUSE
2nd Reading Unamended
February 3, 2015

- learning plan;
- ! A requirement that every 2 years a psychologist complete at least 40 hours of continuing professional development; and
- ! A requirement that the psychologist maintain documentation of the continuing professional development hours.

The bill allows the board to audit up to 5% of licensed psychologists each 2-year cycle to determine compliance with the requirements. The bill clarifies that the records of assessments or other documentation in connection with the continuing professional development are confidential.

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

2 **SECTION 1. Legislative declaration.** The general assembly
3 finds and declares that although there may be a shortage of mental health
4 professionals in this state to serve the needs of the people who seek their
5 help, it is important that licensed psychologists are involved in
6 professional development activities that enhance their knowledge and
7 skills in order to best meet the needs of Colorado. Therefore, it is the
8 intent of the general assembly to require continuing professional
9 development and education for licensed psychologists. In doing so, the
10 general assembly encourages each psychologist to consider the current
11 mental health needs or issues facing Colorado at the time when he or she
12 is working on his or her professional development and education.

13 **SECTION 2.** In Colorado Revised Statutes, **add** 12-43-307 as
14 follows:

15 **12-43-307. Continuing professional development - rules.** (1) IN
16 ACCORDANCE WITH SECTION 12-43-304, THE BOARD ISSUES A LICENSE TO
17 PRACTICE AS A PSYCHOLOGIST BASED ON WHETHER THE APPLICANT
18 SATISFIES MINIMUM EDUCATIONAL AND EXPERIENCE REQUIREMENTS THAT
19 DEMONSTRATE COMPETENCY TO PRACTICE AS A PSYCHOLOGIST. AFTER A

1 LICENSE IS ISSUED TO AN APPLICANT, THE LICENSED PSYCHOLOGIST SHALL
2 COMPLETE CONTINUING PROFESSIONAL DEVELOPMENT AND EDUCATIONAL
3 HOURS TO MAINTAIN HIS OR HER LICENSE AS A PSYCHOLOGIST.

4 (2) THE BOARD SHALL ADOPT RULES ESTABLISHING A CONTINUING
5 PROFESSIONAL DEVELOPMENT PROGRAM THAT INCLUDES, AT A MINIMUM,
6 THE FOLLOWING ELEMENTS:

7 (a) THE DEVELOPMENT, EXECUTION, AND DOCUMENTATION OF A
8 LEARNING PLAN;

9 (b) A REQUIREMENT THAT EVERY TWO YEARS A LICENSED
10 PSYCHOLOGIST COMPLETE AT LEAST FORTY HOURS OF CONTINUING
11 PROFESSIONAL DEVELOPMENT HOURS THAT INCLUDE A COMBINATION OF
12 THE FOLLOWING ACTIVITIES CHOSEN BY THE LICENSED PSYCHOLOGIST:

13 (I) ATTENDING WORKSHOPS; SEMINARS; SYMPOSIA; COLLOQUIA;
14 INVITED SPEAKER SESSIONS; POSTDOCTORAL INSTITUTES; OR SCIENTIFIC OR
15 PROFESSIONAL PROGRAMS OFFERED AT MEETINGS OF LOCAL, STATE,
16 REGIONAL, NATIONAL, OR INTERNATIONAL PROFESSIONAL OR SCIENTIFIC
17 ORGANIZATIONS. AT LEAST THIRTY-FIVE HOURS OF REQUIRED CONTINUING
18 PROFESSIONAL DEVELOPMENT HOURS COMPLETED PURSUANT TO THIS
19 SUBPARAGRAPH (I), WHICH MAY INCLUDE ON-LINE CONTINUING
20 EDUCATION, MUST BE CONTINUING EDUCATION UNITS OR CONTINUING
21 MEDICAL EDUCATION CREDIT APPROVED BY THE AMERICAN
22 PSYCHOLOGICAL ASSOCIATION, STATE MEDICAL ASSOCIATION, OR
23 ACCREDITATION COUNCIL FOR CONTINUING MEDICAL EDUCATION, OR A
24 REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION. A
25 LICENSED PSYCHOLOGIST MUST RETAIN A CERTIFICATE OF ATTENDANCE OR
26 A TRANSCRIPT AS DOCUMENTATION OF COMPLETION.

27 (II) SATISFACTORILY COMPLETING AN ETHICS COURSE OFFERED BY

1 THE AMERICAN PSYCHOLOGICAL ASSOCIATION, STATE MEDICAL
2 ASSOCIATION, OR ACCREDITATION COUNCIL FOR CONTINUING MEDICAL
3 EDUCATION, OR A REGIONALLY ACCREDITED INSTITUTION OF HIGHER
4 EDUCATION. A LICENSED PSYCHOLOGIST MUST RETAIN A CERTIFICATE OF
5 ATTENDANCE OR A TRANSCRIPT AS DOCUMENTATION OF COMPLETION. ONE
6 CONTINUING EDUCATION HOUR IS EQUIVALENT TO ONE PROFESSIONAL
7 DEVELOPMENT HOUR.

8 (III) DEVELOPING AND TEACHING AN ACADEMIC COURSE IN
9 PSYCHOLOGY AT AN INSTITUTION ACCREDITED BY A REGIONAL
10 ACCREDITING ASSOCIATION. CREDIT IS GIVEN FOR THE FIRST TIME THE
11 LICENSED PSYCHOLOGIST TEACHES THE COURSE, AS DOCUMENTED BY THE
12 DEAN OR HEAD OF THE DEPARTMENT OF THE INSTITUTION IN WHICH THE
13 COURSE WAS TAUGHT, AND IS BASED ON THE NUMBER OF CREDIT HOURS,
14 UNITS, OR HOURS ASSIGNED BY THE INSTITUTION. ONE ACADEMIC CREDIT,
15 UNIT, OR HOUR IS EQUIVALENT TO TEN CONTINUING PROFESSIONAL
16 DEVELOPMENT HOURS.

17 (IV) SATISFACTORILY COMPLETING A GRADUATE COURSE IN
18 PSYCHOLOGY OFFERED BY AN INSTITUTION ACCREDITED BY A REGIONAL
19 ACCREDITING ASSOCIATION AND DOCUMENTED BY AN ACADEMIC
20 TRANSCRIPT SHOWING THE GRADUATE CREDITS EARNED. ONE ACADEMIC
21 CREDIT, UNIT, OR HOUR IS EQUIVALENT TO TEN CONTINUING PROFESSIONAL
22 DEVELOPMENT HOURS.

23 (V) DEVELOPING AND PRESENTING FOR THE FIRST TIME A
24 WORKSHOP, SEMINAR, SYMPOSIUM, COLLOQUIUM, INVITED SPEAKING
25 SESSION, OR MEETING OF A PROFESSIONAL OR SCIENTIFIC ORGANIZATION
26 OR A POSTDOCTORAL INSTITUTE, DOCUMENTED BY A PRINTED PROGRAM
27 OR AGENDA. ONE HOUR OF WORKSHOP, SYMPOSIUM, OR COLLOQUIAL

1 PRESENTATION IS EQUIVALENT TO THREE CONTINUING PROFESSIONAL
2 DEVELOPMENT HOURS.

3 (VI) AUTHORIZING, EDITING, OR REVIEWING A PSYCHOLOGY
4 PUBLICATION IN THE FIRST YEAR OF THE PUBLICATION OR DISTRIBUTION,
5 DOCUMENTED BY A PUBLICATION COVER SHEET, MASTHEAD, OR TABLE OF
6 CONTENTS. THE MAXIMUM HOURS MAY BE EARNED AS FOLLOWS:

7 (A) AUTHORIZING A PROFESSIONAL OR SCIENTIFIC BOOK IS
8 EQUIVALENT TO FORTY HOURS OF CONTINUING PROFESSIONAL
9 DEVELOPMENT HOURS;

10 (B) AUTHORIZING A PROFESSIONAL OR SCIENTIFIC BOOK CHAPTER OR
11 JOURNAL ARTICLE IS EQUIVALENT TO TWENTY HOURS OF CONTINUING
12 PROFESSIONAL DEVELOPMENT HOURS;

13 (C) EDITING A PROFESSIONAL OR SCIENTIFIC BOOK OR JOURNAL IS
14 EQUIVALENT TO THIRTY HOURS OF CONTINUING PROFESSIONAL
15 DEVELOPMENT HOURS;

16 (D) REVIEWING A JOURNAL ARTICLE IS EQUIVALENT TO ONE HOUR
17 OF CONTINUING PROFESSIONAL DEVELOPMENT PER MANUSCRIPT;

18 (c) A REQUIREMENT THAT EACH LICENSED PSYCHOLOGIST
19 MAINTAIN ALL DOCUMENTATION FOR HIS OR HER CONTINUING
20 PROFESSIONAL DEVELOPMENT HOURS.

21 (3) A LICENSED PSYCHOLOGIST IS NOT REQUIRED TO RECEIVE
22 PREAPPROVAL FROM THE BOARD OR OTHER ENTITY PRIOR TO THE
23 COMPLETION OF A CONTINUING PROFESSIONAL DEVELOPMENT ACTIVITY IN
24 ORDER TO RECEIVE CREDIT FOR THE CONTINUING PROFESSIONAL
25 DEVELOPMENT HOURS.

26 (4) THE BOARD MAY AUDIT UP TO FIVE PERCENT OF LICENSED
27 PSYCHOLOGISTS EACH TWO-YEAR CYCLE TO DETERMINE COMPLIANCE

1 WITH CONTINUING PROFESSIONAL DEVELOPMENT REQUIREMENTS.

2 (5) (a) RECORDS OF ASSESSMENTS OR OTHER DOCUMENTATION
3 DEVELOPED OR SUBMITTED IN CONNECTION WITH THE CONTINUING
4 PROFESSIONAL DEVELOPMENT PROGRAM ARE CONFIDENTIAL AND NOT
5 SUBJECT TO INSPECTION BY THE PUBLIC OR DISCOVERY IN CONNECTION
6 WITH A CIVIL ACTION AGAINST A LICENSED PSYCHOLOGIST. THE RECORDS
7 OR DOCUMENTS SHALL BE USED ONLY BY THE BOARD FOR THE PURPOSE OF
8 DETERMINING WHETHER A LICENSED PSYCHOLOGIST IS MAINTAINING
9 CONTINUING PROFESSIONAL DEVELOPMENT NECESSARY TO ENGAGE IN THE
10 PROFESSION.

11 (b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS
12 SUBSECTION (5), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
13 RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE
14 OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL
15 PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED
16 PSYCHOLOGIST.

17 **SECTION 3. 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 5, 2015, if adjournment sine die is on May 6, 2015); 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 2016 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.