

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 22-0319.01 Brita Darling x2241

HOUSE BILL 22-1235

HOUSE SPONSORSHIP

McCormick and Catlin, Holtorf, Lontine, Lynch, McLachlan, Pelton, Roberts, Titone, Valdez D., Will

SENATE SPONSORSHIP

(None),

House Committees
Agriculture, Livestock, & Water
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE REGULATION OF**
102 **VETERINARY PRACTICE BY THE STATE BOARD OF VETERINARY**
103 **MEDICINE, AND, IN CONNECTION THEREWITH, IMPLEMENTING**
104 **THE RECOMMENDATIONS OF THE 2021 SUNSET REPORT ON THE**
105 **"COLORADO VETERINARY PRACTICE ACT" BY THE**
106 **DEPARTMENT OF REGULATORY AGENCIES, [REDACTED] ADDING**
107 **REGISTRATION REQUIREMENTS FOR VETERINARY TECHNICIANS,**
108 **ADDING VETERINARY TECHNICIANS TO THE STATE BOARD OF**
109 **VETERINARY MEDICINE, AND ALLOWING CERTAIN UNLICENSED**
110 **INDIVIDUALS TO ADMINISTER RABIES VACCINATIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does

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

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://leg.colorado.gov/>.)

Sunset Process - House Agriculture, Livestock, and Water Committee. The bill implements recommendations of the department of regulatory agencies, as specified in the department's sunset review of and report on the "Colorado Veterinary Practice Act" (practice act), as follows:

- Continues the practice act for 11 years, until September 1, 2033 (**sections 1 and 2** of the bill);
- Requires a veterinarian to notify the board of veterinary medicine (board) if the veterinarian suffers from a physical illness or condition or a behavioral or mental health disorder that renders the veterinarian unable to practice with reasonable skill and safety (**section 6**);
- Repeals the requirement that the board send a letter of admonition by certified mail (**section 14**);
- Requires veterinarians to create a written plan for the storage, security, and disposal of patient records (**section 18**); and
- If the board has reasonable cause to believe a veterinarian is unable to practice with reasonable skill and safety due to a physical condition, authorizes the board to order the veterinarian to submit to an examination and to suspend the veterinarian's license for failing to comply with the board's order (**section 20**).

The bill makes other amendments to the practice act as follows:

- Authorizes a person who is not a licensed veterinarian in this state to administer rabies vaccinations in a clinic setting under direct supervision of a licensed veterinarian, or through the indirect supervision of a licensed veterinarian if the person is working on behalf of an animal shelter for shelter-owned animals (**sections 9 and 22**);
- Adds two members to the board who are veterinary technicians (**section 10**);
- Requires credit hours of practice act jurisprudence as part of veterinarians' continuing education program and permits veterinarians to take nonbiomedical courses as part of the program (**section 12**);
- Repeals and reenacts the veterinary peer health assistance program to reorganize existing provisions, to allow veterinary technicians access to the program, and to require veterinary professionals, including veterinary technicians,

- to self-refer to the program upon arrest for a drug- or alcohol-related crime (**section 19**); and
- Creates the veterinary professional assistance program funded through licensing fees to provide counseling, education, coaching, and other services, as requested, to veterinarians and veterinary technicians concerning issues including physical and mental health and wellness, workplace concerns, and legal and financial issues (**section 19**).

Section 21 creates the regulation of veterinary technicians. Effective January 1, 2024, a person who practices as a veterinary technician in this state must be registered by the board. To be registered, a person must have been certified by a national body. For an individual who is not yet nationally certified but who has been practicing as a veterinary technician, the board may issue a provisional registration of limited duration under specified circumstances. Veterinary technicians are subject to discipline by the board for engaging in conduct that is grounds for discipline.

Section 21 gives title protection to veterinary technicians and grants standard registration, rule-making, and disciplinary powers to the board. **Section 21** repeals the regulation of veterinary technicians on September 1, 2033, subject to and consistent with the sunset review of the practice act.

Sections 3 through 5, 7, 8, 10, 11, and 13 through 17 amend existing provisions throughout the practice act to include veterinary technicians, as applicable, and make other conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 12-315-118
3 as follows:

4 **12-315-118. Repeal of article - subject to review.** This article
5 315 is repealed, effective ~~September 1, 2022~~ SEPTEMBER 1, 2033. Before
6 the repeal, the board is scheduled for review in accordance with section
7 24-34-104.

8 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal**
9 (23)(a)(II); and **add** (34)(a)(II) as follows:

10 **24-34-104. General assembly review of regulatory agencies**

1 **and functions for repeal, continuation, or reestablishment - legislative**
2 **declaration - repeal.** (23) (a) The following agencies, functions, or both,
3 are scheduled for repeal on September 1, 2022:

4 (II) ~~The state board of veterinary medicine created in article 315~~
5 ~~of title 12;~~

6 (34) (a) The following agencies, functions, or both, are scheduled
7 for repeal on September 1, 2033:

8 (II) THE STATE BOARD OF VETERINARY MEDICINE CREATED IN
9 ARTICLE 315 OF TITLE 12.

10 **SECTION 3.** In Colorado Revised Statutes, 12-20-404, **amend**
11 (1)(d)(II)(M) as follows:

12 **12-20-404. Disciplinary actions - regulator powers -**
13 **disposition of fines - mistreatment of at-risk adult.** (1) **General**
14 **disciplinary authority.** If a regulator determines that an applicant,
15 licensee, certificate holder, or registrant has committed an act or engaged
16 in conduct that constitutes grounds for discipline or unprofessional
17 conduct under a part or article of this title 12 governing the particular
18 profession or occupation, the regulator may:

19 (d) (II) A regulator is not authorized under this subsection (1)(d)
20 to refuse to renew the license, certification, or registration of a licensee,
21 certificate holder, or registrant regulated under the following:

22 (M) Article 315 of this title 12 concerning veterinarians AND
23 VETERINARY TECHNICIANS.

24 **SECTION 4.** In Colorado Revised Statutes, 12-20-407, **amend**
25 (1)(a)(V)(W) as follows:

26 **12-20-407. Unauthorized practice of profession or occupation**
27 **- penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor

1 and shall be punished as provided in section 18-1.3-501 if the person:

2 (V) Practices or offers or attempts to practice any of the following
3 professions or occupations without an active license, certification, or
4 registration issued under the part or article of this title 12 governing the
5 particular profession or occupation:

6 (W) Veterinary medicine OR AS A VETERINARY TECHNICIAN, as
7 regulated under article 315 of this title 12.

8 **SECTION 5.** In Colorado Revised Statutes, 12-20-408, **amend**
9 (1)(f) as follows:

10 **12-20-408. Judicial review.** (1) Except as specified in subsection
11 (2) of this section, the court of appeals has initial jurisdiction to review
12 all final actions and orders of a regulator that are subject to judicial
13 review and shall conduct the judicial review proceedings in accordance
14 with section 24-4-106 (11); except that, with regard only to
15 cease-and-desist orders, a district court of competent jurisdiction has
16 initial jurisdiction to review a final action or order of a regulator that is
17 subject to judicial review and shall conduct the judicial review
18 proceedings in accordance with section 24-4-106 (3) for the following:

19 (f) Article 315 of this title 12 concerning veterinarians **AND**
20 VETERINARY TECHNICIANS.

21 **SECTION 6.** In Colorado Revised Statutes, 12-30-108, **repeal**
22 (4)(b)(II) as follows:

23 **12-30-108. Confidential agreement to limit practice - violation**
24 **grounds for discipline.** (4) (b) Subsection (1)(a) of this section
25 regarding notification for confidential agreements does not apply to:

26 (II) ~~Article 315 of this title 12 concerning veterinarians.~~

27 **SECTION 7.** In Colorado Revised Statutes, 12-30-109, **amend**

1 (4)(f) as follows:

2 **12-30-109. Prescriptions - limitations - definition - rules.**

3 (4) As used in this section, "prescriber" means:

4 (f) A veterinarian licensed pursuant to PART 1 OF article 315 of
5 this title 12.

6 **SECTION 8.** In Colorado Revised Statutes, 12-315-104, **amend**
7 (11); and **add** (10.5), (21.5), (24), and (25) as follows:

8 **12-315-104. Definitions.** As used in this article 315, unless the
9 context otherwise requires:

10 (10.5) "INDIRECT SUPERVISION" MEANS SUPERVISION IN WHICH THE
11 SUPERVISING LICENSED VETERINARIAN DIRECTS OR SUPERVISES THE
12 AUTHORIZED DELEGATED TREATMENT OR COLLECTION OF DIAGNOSTIC
13 INFORMATION OF A PATIENT AT VETERINARY PREMISES WITHOUT BEING ON
14 THE PREMISES BUT BEING READILY AVAILABLE FOR COMMUNICATION.

15 (11) "Licensed veterinarian" means a person licensed pursuant to
16 this ~~article 315~~ PART 1.

17 (21.5) "VETERINARY PROFESSIONAL" MEANS A VETERINARIAN
18 LICENSED PURSUANT TO PART 1 OF THIS ARTICLE 315 AND A VETERINARY
19 TECHNICIAN REGISTERED PURSUANT TO PART 2 OF THIS ARTICLE 315.

20 (24) "VETERINARY TECHNICIAN" MEANS A VETERINARY
21 TECHNICIAN REGISTERED PURSUANT TO PART 2 OF THIS ARTICLE 315.

22 (25) "VETERINARY TECHNICIAN CREDENTIALING ORGANIZATION"
23 OR "CREDENTIALING ORGANIZATION" MEANS:

24 (a) A VETERINARY TECHNICIAN CREDENTIALING ORGANIZATION
25 APPROVED BY THE BOARD PURSUANT TO SECTION 12-315-201 TO
26 CREDENTIAL VETERINARY TECHNICIANS IN THIS STATE; OR

27 (b) THE BOARD IF, PURSUANT TO SECTION 12-315-201 (2), NO

1 CREDENTIALING ORGANIZATION IS APPROVED.

2 **SECTION 9.** In Colorado Revised Statutes, 12-315-105, **amend**
3 (1) introductory portion and (1)(b); **repeal** (1)(k); and **add** (1)(q) as
4 follows:

5 **12-315-105. License requirements and exceptions - definitions**
6 **- rules.** (1) ~~No~~ A person ~~may~~ SHALL NOT practice veterinary medicine in
7 this state if the person is not a licensed veterinarian. ~~No~~ A person ~~may~~
8 SHALL NOT practice artificial insemination or ova transplantation of cattle
9 or other animal species in this state except in accordance with section
10 12-315-106 (5)(c). This article 315 does not prohibit:

11 (b) A person who is a ~~regular~~ VETERINARY student OR
12 VETERINARY STUDENT PRECEPTOR in an approved school of veterinary
13 medicine from performing duties or actions ~~assigned by the student's~~
14 ~~instructors or working under the direct supervision of a licensed~~
15 ~~veterinarian~~ AS DESCRIBED IN SECTION 12-315-116;

16 (k) ~~A veterinary student or veterinary student preceptor from~~
17 ~~performing those acts permitted by this article 315;~~

18 (q) (I) (A) A PERSON FROM ADMINISTERING A RABIES VACCINE TO
19 AN ANIMAL IF THE PERSON IS UNDER THE DIRECT SUPERVISION OF A
20 LICENSED VETERINARIAN AND HAS BEEN TRAINED IN RABIES VACCINE
21 STORAGE, HANDLING, AND ADMINISTRATION AND IN THE MANAGEMENT OF
22 ADVERSE EVENTS; OR

23 (B) A PERSON WORKING ON BEHALF OF AN ANIMAL SHELTER FROM
24 ADMINISTERING A RABIES VACCINE TO SHELTER-OWNED ANIMALS IF THE
25 PERSON IS UNDER THE INDIRECT SUPERVISION OF A LICENSED
26 VETERINARIAN AND HAS BEEN TRAINED IN RABIES VACCINE STORAGE,
27 HANDLING, AND ADMINISTRATION AND IN THE MANAGEMENT OF ADVERSE

1 EVENTS.

2 (II) THE VETERINARIAN SIGNING THE RABIES VACCINATION
3 CERTIFICATE SHALL ENSURE THAT THE PERSON WHO ADMINISTERED THE
4 VACCINE PURSUANT TO THIS SUBSECTION (1)(q) IS IDENTIFIED ON THE
5 CERTIFICATE.

6 **SECTION 10.** In Colorado Revised Statutes, 12-315-106, amend
7 (1), (2), (5)(a), (5)(b), (5)(d), (5)(g), and (7) as follows:

8 **12-315-106. Board of veterinary medicine - creation - powers**
9 **- rules.** (1) There is hereby created a state board of veterinary medicine
10 consisting of ~~seven~~ NINE members appointed by the governor. Each
11 member shall be appointed for a term of four years. The governor shall
12 appoint members of the board from qualified persons as described in
13 subsection (2) of this section. The governor shall appoint members to fill
14 vacancies on the board caused by death, resignation, or removal for the
15 balance of the unexpired term. ~~No~~ A person shall NOT serve more than
16 two consecutive four-year terms. A person appointed to serve out the
17 balance of an unexpired term may be reappointed for an additional
18 consecutive four-year term. Members of the board may remain on the
19 board until a successor is appointed.

20 (2) The governor shall appoint:

21 (a) Five members to the board who:

22 (I) Are graduates of a school of veterinary medicine; ~~who~~

23 (II) Are residents of this state; and ~~who~~

24 (III) Have been licensed to practice veterinary medicine in this
25 state for the five years preceding the time of the appointment; ~~The~~
26 ~~governor shall appoint~~

27 (b) NOT LATER THAN ~~MARCH~~ 1, 2023, TWO MEMBERS TO THE

1 BOARD WHO ARE RESIDENTS OF THIS STATE AND WHO, FOR AT LEAST FIVE
2 YEARS IMMEDIATELY PRECEDING THE TIME OF APPOINTMENT:

3 (I) HAVE BEEN CERTIFIED BY A COLORADO ASSOCIATION OF
4 VETERINARY TECHNICIANS; AND

5 (II) HAVE BEEN PRACTICING AS VETERINARY TECHNICIANS IN THIS
6 STATE; AND

7 (c) Two members to the board from the public at large who have
8 no financial or professional association with the veterinary profession.

9 (5) The board has the power to:

10 (a) Examine and determine the qualifications and fitness of
11 applicants for a license to practice veterinary medicine OR FOR
12 REGISTRATION AS A VETERINARY TECHNICIAN in this state;

13 (b) Pursuant to section 12-20-404, issue, renew, deny, suspend, or
14 revoke licenses to practice veterinary medicine OR REGISTRATIONS OF
15 VETERINARY TECHNICIANS in the state or otherwise discipline or fine, or
16 both, licensees OR REGISTRANTS consistent with this article 315 and the
17 rules adopted by the board under this article 315;

18 (d) Establish, pursuant to section 12-20-105, and publish annually
19 a schedule of fees for licensing and registration of veterinarians AND
20 VETERINARY TECHNICIANS. The board shall base the fee on its anticipated
21 financial requirements for the year.

22 (g) Adopt, amend, or repeal rules in accordance with section
23 12-20-204. The board shall adopt rules to establish a uniform system and
24 schedule of fines that it may impose on licensees OR REGISTRANTS for
25 violations of this article 315 or of rules adopted pursuant to this article
26 315.

27 (7) The powers of the board are granted to enable the board to

1 effectively supervise the practice of veterinary medicine AND OF
2 VETERINARY TECHNICIANS and are to be construed liberally to accomplish
3 this objective.

4 **SECTION 11.** In Colorado Revised Statutes, 12-315-107, **amend**
5 (3)(a) as follows:

6 **12-315-107. Application for license - qualifications - rules.**

7 (3) The board may deny a license or may grant a license subject to terms
8 of probation if the board determines that an applicant for a license:

9 (a) Does not possess the qualifications required by this ~~article 315~~
10 PART 1;

11 **SECTION 12.** In Colorado Revised Statutes, 12-315-110, **amend**
12 (1) and (3)(a) as follows:

13 **12-315-110. License renewal - waiver - rules - continuing**

14 **education.** (1) All licenses issued pursuant to this ~~article 315~~ PART 1 are
15 subject to the renewal, expiration, reinstatement, and delinquency fee
16 provisions specified in section 12-20-202 (1) and (2). A person whose
17 license expires is subject to the penalties provided in this ~~article 315~~ PART
18 1 or section 12-20-202 (1).

19 (3) (a) (I) In order to obtain license renewal, each licensee, except
20 as otherwise provided, must complete a board-approved veterinary
21 continuing educational program of at least thirty-two hours biennially.
22 The courses may be taken at any time during the period since the license
23 was last renewed and before the license is due to be renewed. The
24 licensee shall provide satisfactory proof of the completion of all
25 delinquent continuing education requirements. For good cause, the board
26 may prescribe the type and character of continuing education courses to
27 be taken by any doctor of veterinary medicine in order to comply with the

1 requirements of this ~~article 315~~ PART 1.

2 (II) THE BOARD-APPROVED CONTINUING EDUCATIONAL PROGRAM

3 MUST:

4 (A) REQUIRE TWO HOURS OF JURISPRUDENCE ON THE "COLORADO
5 VETERINARY PRACTICE ACT" BIENNIALLY; AND

6 (B) PERMIT A LICENSEE TO TAKE UP TO SIXTEEN HOURS OF
7 CONTINUING EDUCATION COURSES IN NONBIOMEDICAL TOPICS, WHICH
8 TOPICS MAY INCLUDE CLIENT COMMUNICATION, MANAGEMENT,
9 LEADERSHIP, AND OTHER TOPICS THAT SUPPORT VETERINARY PRACTICE
10 AND A HIGHLY FUNCTIONAL VETERINARY WORKFORCE.

11 **SECTION 13.** In Colorado Revised Statutes, 12-315-111, **amend**
12 (2) as follows:

13 **12-315-111. Inactive license.** (2) The board may pursue
14 disciplinary proceedings pursuant to section 12-315-112 against a
15 veterinarian whose license is in inactive status pursuant to this section for
16 conduct that violates this ~~article 315~~ PART 1 that the person engages in
17 while in inactive status.

18 **SECTION 14.** In Colorado Revised Statutes, 12-315-112, **amend**
19 (1) introductory portion, (1)(a), (1)(p), (1)(ee), (2), (4), and (6) as follows:

20 **12-315-112. Discipline of licensees.** (1) Upon receipt of a signed
21 complaint by a complainant or upon its own motion, the board may
22 proceed to a hearing in ~~conformity~~ ACCORDANCE with section
23 12-315-113. After a hearing, and by a concurrence of a majority of
24 members, the board may take disciplinary or other action as authorized in
25 section 12-20-404 against an applicant FOR A LICENSE or a licensed
26 veterinarian for any of the following reasons:

27 (a) Violation of any ~~provisions~~ PROVISION of this article 315, an

1 applicable provision of article 20 or 30 of this title 12, or any ~~rules~~ RULE
2 OR ORDER of the board;

3 (p) Conviction of a crime in the courts of this state or of a crime
4 in any other state, any territory, or any other country for an offense related
5 to the conduct regulated by this ~~article 315~~ PART 1, regardless of whether
6 the sentence is deferred. ~~For the purposes of~~ AS USED IN this subsection
7 (1)(p), "CONVICTION" INCLUDES a plea of guilty or a plea of nolo
8 contendere accepted by the court. ~~shall be considered as a conviction.~~

9 (ee) Failure to properly supervise a veterinary student, A
10 VETERINARY STUDENT PRECEPTOR, A VETERINARY TECHNICIAN, or OTHER
11 veterinary staff;

12 (2) The board may send a letter of admonition ~~by certified mail~~,
13 to a licensee under the circumstances specified in and in accordance with
14 section 12-20-404 (4).

15 (4) The record of conviction of a felony in a court of competent
16 jurisdiction shall be sufficient evidence for the disciplinary action to be
17 taken as may be deemed proper by the board. For the purposes of this
18 ~~article 315~~ PART 1, a conviction shall be deemed to be a conviction that
19 has been upheld by the highest appellate court having jurisdiction or a
20 conviction upon which the time for filing an appeal has passed.

21 (6) In addition to any other penalty that may be imposed pursuant
22 to this section, any person violating ~~any provision of this article 315~~ PART
23 1 or any rules promulgated pursuant to this ~~article 315~~ PART 1 may be
24 fined not less than one hundred dollars nor more than one thousand
25 dollars for any such violation.

26 **SECTION 15.** In Colorado Revised Statutes, 12-315-114, amend
27 (2) and (3) as follows:

1 **12-315-114. Unauthorized practice - penalties.** (2) Any person
2 who practices or offers or attempts to practice veterinary medicine
3 without an active license issued under this ~~article 315~~ PART 1 is subject
4 to penalties pursuant to section 12-20-407 (1)(a).

5 (3) The board or a citizen of this state may bring an action to
6 enjoin a person from practicing veterinary medicine without a currently
7 valid license. If the court finds that the person is violating, or is
8 threatening to violate, this ~~article 315~~, ~~it~~ PART 1, THE COURT may enter an
9 injunction restraining ~~him or her~~ THE PERSON from the unlawful acts.

10 **SECTION 16.** In Colorado Revised Statutes, 12-315-115, **amend**
11 (2) and (3) as follows:

12 **12-315-115. Abandonment of animals - definition.** (2) The
13 giving of notice to the owner, or the agent of the owner, of the animal by
14 the licensed veterinarian, as provided in subsection (1) of this section,
15 shall relieve the licensed veterinarian and any custodian to whom the
16 animal may be given of any further liability for disposal. The procedure
17 by the licensed veterinarian shall not constitute grounds for disciplining
18 procedure under this ~~article 315~~ PART 1.

19 (3) ~~For the purpose of this article 315~~ AS USED IN THIS SECTION,
20 the term "abandoned" means to forsake entirely, or to neglect or refuse to
21 provide or perform the legal obligations for care and support of an animal
22 by its owner or the owner's agent. Abandonment constitutes the
23 relinquishment of all rights and claims by the owner to the animal.

24 **SECTION 17.** In Colorado Revised Statutes, 12-315-116, **amend**
25 (1) introductory portion and (2) as follows:

26 **12-315-116. Veterinary students and veterinary student**
27 **preceptors.** (1) All duties OR ACTIONS performed by a veterinary student

1 OR VETERINARY STUDENT PRECEPTOR must be ASSIGNED BY THE
2 STUDENT'S INSTRUCTOR OR BE PERFORMED under the direct supervision of
3 a licensed veterinarian. If the student does not conform to the following
4 requirements, the licensed veterinarian is in violation of this ~~article 315~~
5 PART 1. A veterinary student OR VETERINARY STUDENT PRECEPTOR may:

6 (2) It is unlawful for a veterinary student OR VETERINARY
7 STUDENT PRECEPTOR to participate in the operation of a branch office,
8 clinic, VETERINARY PREMISES, or allied establishment unless the
9 veterinary student OR VETERINARY STUDENT PRECEPTOR is under the
10 direct supervision of a licensed veterinarian.

11 **SECTION 18.** In Colorado Revised Statutes, 12-315-119, amend
12 (3)(b) as follows:

13 **12-315-119. Veterinary records in custody of animal care
14 providers - definition - rules.** (3) (b) (I) All practicing veterinarians in
15 this state shall maintain accurate records for every new or existing
16 veterinarian-client-patient relationship. In the animal patient records, the
17 licensed veterinarian shall justify and describe the assessment, diagnosis,
18 and treatment administered or prescribed and all medications and dosages
19 prescribed in a legible, written, printed, or electronically prepared
20 document that is unalterable. The licensed veterinarian shall prepare the
21 records in a manner that allows any subsequent evaluation of the same
22 animal patient record to yield comprehensive medical, patient, and
23 veterinarian identifying information. Licensed veterinarians shall
24 maintain animal patient records for a minimum of three years after the
25 animal patient's last medical examination.

26 (II) AS PART OF THE REQUIREMENT IN SUBSECTION (3)(b)(I) OF
27 THIS SECTION FOR ALL PRACTICING VETERINARIANS IN THIS STATE TO

1 MAINTAIN ACCURATE RECORDS, EACH VETERINARIAN SHALL CREATE A
2 WRITTEN PLAN FOR THE STORAGE, SECURITY, AND DISPOSAL OF PATIENT
3 RECORDS TO ENSURE THAT PATIENT RECORDS ARE SECURELY STORED AND
4 DISPOSED OF WHEN NECESSARY.

5 **SECTION 19.** In Colorado Revised Statutes, **repeal and reenact,**
6 **with amendments,** 12-315-123 as follows:

7 **12-315-123. Veterinary peer health assistance program - [REDACTED]**
8 **fees - administration - rules.** (1) **Veterinary peer health assistance**
9 **program.** (a) THERE IS CREATED THE VETERINARY PEER HEALTH
10 ASSISTANCE PROGRAM TO PROVIDE ASSISTANCE TO VETERINARY
11 PROFESSIONALS NEEDING HELP IN DEALING WITH PHYSICAL, EMOTIONAL,
12 OR PSYCHOLOGICAL CONDITIONS THAT MAY BE DETRIMENTAL TO THEIR
13 ABILITY TO PRACTICE UNDER THIS ARTICLE 315. THE BOARD SHALL SELECT
14 ONE OR MORE VETERINARY PEER HEALTH ASSISTANCE PROGRAM
15 DESIGNATED PROVIDERS. TO BE ELIGIBLE FOR DESIGNATION BY THE
16 BOARD, A PROVIDER MUST:

17 (I) PROVIDE FOR THE EDUCATION OF VETERINARY PROFESSIONALS
18 WITH RESPECT TO THE RECOGNITION AND PREVENTION OF PHYSICAL,
19 EMOTIONAL, AND PSYCHOLOGICAL CONDITIONS AND PROVIDE FOR
20 INTERVENTION WHEN NECESSARY OR UNDER CIRCUMSTANCES
21 ESTABLISHED BY THE BOARD BY RULE;

22 (II) OFFER ASSISTANCE TO A VETERINARY PROFESSIONAL IN
23 IDENTIFYING PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL CONDITIONS;

24 (III) EVALUATE THE EXTENT OF THE PHYSICAL, EMOTIONAL, OR
25 PSYCHOLOGICAL CONDITION AND REFER THE VETERINARY PROFESSIONAL
26 FOR APPROPRIATE TREATMENT;

27 (IV) MONITOR THE STATUS OF A VETERINARY PROFESSIONAL

1 REFERRED FOR TREATMENT;

2 (V) PROVIDE COUNSELING AND SUPPORT FOR THE VETERINARY
3 PROFESSIONAL AND FOR THE FAMILY OF ANY VETERINARY PROFESSIONAL
4 REFERRED FOR TREATMENT;

5 (VI) AGREE TO RECEIVE REFERRALS FROM THE BOARD; AND

6 (VII) AGREE TO MAKE ITS SERVICES AVAILABLE TO ALL
7 REGULATED VETERINARY PROFESSIONALS IN COLORADO.

8 (b) UPON RECEIPT OF A SIGNED COMPLAINT BY A COMPLAINANT,
9 THE BOARD MAY REQUIRE A VETERINARY PROFESSIONAL TO PARTICIPATE
10 IN THE VETERINARY PEER HEALTH ASSISTANCE PROGRAM AND TO ENTER
11 INTO A STIPULATION WITH THE BOARD PURSUANT TO SECTION 12-20-405
12 (3) BEFORE PARTICIPATING IN THE PROGRAM. THE AGREEMENT MUST
13 CONTAIN SPECIFIC REQUIREMENTS AND GOALS TO BE MET BY THE
14 PARTICIPANT, INCLUDING THE CONDITIONS UNDER WHICH THE PROGRAM
15 WILL BE SUCCESSFULLY COMPLETED OR TERMINATED, AND A PROVISION
16 THAT A FAILURE TO COMPLY WITH THE REQUIREMENTS AND GOALS IS TO
17 BE PROMPTLY REPORTED TO THE BOARD AND THAT FAILURE WILL RESULT
18 IN DISCIPLINARY ACTION BY THE BOARD.

19 (c) NOTWITHSTANDING SECTIONS 12-315-112, 12-315-207, AND
20 24-4-104, THE BOARD MAY IMMEDIATELY SUSPEND THE LICENSE OR
21 REGISTRATION OF ANY VETERINARY PROFESSIONAL WHO IS REFERRED TO
22 THE VETERINARY PEER HEALTH ASSISTANCE PROGRAM. IF THE
23 VETERINARY PROFESSIONAL OBJECTS TO THE SUSPENSION, THE
24 VETERINARY PROFESSIONAL MAY SUBMIT A WRITTEN REQUEST TO THE
25 BOARD FOR A FORMAL HEARING ON THE SUSPENSION WITHIN TEN DAYS
26 AFTER RECEIVING NOTICE OF THE SUSPENSION, AND THE BOARD SHALL
27 GRANT THE REQUEST. IN THE HEARING, THE VETERINARY PROFESSIONAL

1 BEARS THE BURDEN OF PROVING THAT THE VETERINARY PROFESSIONAL'S
2 LICENSE OR REGISTRATION SHOULD NOT BE SUSPENDED.

3 (d) ANY VETERINARY PROFESSIONAL WHO IS ACCEPTED INTO THE
4 VETERINARY PEER HEALTH ASSISTANCE PROGRAM IN LIEU OF DISCIPLINARY
5 ACTION BY THE BOARD SHALL AFFIRM THAT, TO THE BEST OF THE
6 VETERINARY PROFESSIONAL'S KNOWLEDGE, INFORMATION, AND BELIEF,
7 THE VETERINARY PROFESSIONAL KNOWS OF NO INSTANCE IN WHICH THE
8 VETERINARY PROFESSIONAL HAS VIOLATED THIS ARTICLE 315 OR THE
9 RULES OF THE BOARD, EXCEPT IN THOSE INSTANCES AFFECTED BY THE
10 VETERINARY PROFESSIONAL'S PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL
11 CONDITION.

12 (e) A VETERINARY PROFESSIONAL WHO IS ARRESTED FOR A DRUG-
13 OR ALCOHOL-RELATED OFFENSE SHALL SELF-REFER TO THE VETERINARY
14 PEER HEALTH ASSISTANCE PROGRAM WITHIN THIRTY DAYS AFTER THE
15 ARREST FOR AN EVALUATION AND REFERRAL TO APPROPRIATE
16 TREATMENT, IF NECESSARY. IF THE VETERINARY PROFESSIONAL
17 SELF-REFERS, THE EVALUATION BY THE VETERINARY PEER HEALTH
18 ASSISTANCE PROGRAM IS CONFIDENTIAL AND CANNOT BE USED AS
19 EVIDENCE IN ANY PROCEEDING OTHER THAN A PROCEEDING BEFORE THE
20 BOARD. A VETERINARY PROFESSIONAL'S FAILURE TO COMPLY WITH THIS
21 SUBSECTION (1)(e), ALONE, IS NOT GROUNDS FOR DISCIPLINE UNDER
22 SECTION 12-315-112 OR 12-315-207, UNLESS THE VETERINARY
23 PROFESSIONAL HAS ALSO COMMITTED AN ACT OR OMISSION SPECIFIED IN
24 THIS ARTICLE 315.

25 (f) AS A CONDITION OF LICENSURE OR REGISTRATION AND
26 RENEWAL OF A LICENSE OR REGISTRATION IN THIS STATE, EVERY
27 VETERINARY PROFESSIONAL APPLYING FOR A NEW LICENSE OR

1 REGISTRATION OR TO RENEW A LICENSE OR REGISTRATION SHALL PAY TO
2 THE BOARD, FOR USE BY THE ADMINISTERING ENTITY SELECTED BY THE
3 BOARD PURSUANT TO SUBSECTION (2) OF THIS SECTION, A FEE IN AN
4 AMOUNT NOT TO EXCEED FORTY DOLLARS PER YEAR, WHICH MAXIMUM
5 AMOUNT MAY BE ADJUSTED ON JANUARY 1, 2012, AND ANNUALLY
6 THEREAFTER BY THE BOARD TO REFLECT CHANGES IN THE UNITED STATES
7 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR
8 DENVER-AURORA-LAKewood FOR ALL URBAN CONSUMERS OR GOODS, OR
9 ITS SUCCESSOR INDEX. THE BOARD SHALL FORWARD THE FEE TO THE
10 CHOSEN ADMINISTERING ENTITY FOR USE IN SUPPORTING VETERINARY
11 PROFESSIONALS THROUGH THE VETERINARY PEER HEALTH ASSISTANCE
12 PROGRAM.

13 

14 **(2) Administering entity.** (a) THE BOARD MAY SELECT AN ENTITY
15 TO ADMINISTER THE VETERINARY PEER HEALTH ASSISTANCE ~~PROGRAM~~.
16 ~~THE ADMINISTERING ENTITY MUST BE A NONPROFIT PRIVATE FOUNDATION~~
17 ~~THAT IS QUALIFIED UNDER SECTION 501 (c)(3) OF THE FEDERAL "INTERNAL~~
18 ~~REVENUE CODE OF 1986", AS AMENDED, AND THAT IS DEDICATED TO~~
19 ~~PROVIDING SUPPORT FOR CHARITABLE, BENEVOLENT, EDUCATIONAL, AND~~
20 ~~SCIENTIFIC PURPOSES THAT ARE RELATED TO VETERINARY MEDICINE,~~
21 ~~VETERINARY MEDICAL EDUCATION, VETERINARY MEDICAL RESEARCH AND~~
22 ~~SCIENCE, AND OTHER VETERINARY MEDICAL CHARITABLE PURPOSES.~~

23 (b) THE ADMINISTERING ENTITY SHALL:

24 (I) DISTRIBUTE THE MONEY COLLECTED BY THE BOARD, LESS
25 EXPENSES, TO THE DESIGNATED PROVIDERS, AS DIRECTED BY THE BOARD;
26 (II) PROVIDE AN ANNUAL ACCOUNTING TO THE BOARD OF ALL
27 AMOUNTS COLLECTED, EXPENSES INCURRED, AND AMOUNTS DISBURSED;

1 AND

2 (III) POST A SURETY PERFORMANCE BOND IN AN AMOUNT
3 SPECIFIED BY THE BOARD TO SECURE PERFORMANCE UNDER THE
4 REQUIREMENTS OF THIS SECTION. THE ADMINISTERING ENTITY MAY
5 RECOVER THE ACTUAL ADMINISTRATIVE COSTS INCURRED IN PERFORMING
6 ITS DUTIES UNDER THIS SECTION IN AN AMOUNT NOT TO EXCEED TEN
7 PERCENT OF THE TOTAL AMOUNT COLLECTED.

8 (c) THE BOARD SHALL COLLECT THE REQUIRED ANNUAL PAYMENTS
9 PAYABLE TO THE ADMINISTERING ENTITY FOR THE BENEFIT OF THE
10 ADMINISTERING ENTITY AND SHALL TRANSFER ALL THE PAYMENTS TO THE
11 ADMINISTERING ENTITY. ALL REQUIRED ANNUAL PAYMENTS COLLECTED
12 OR DUE TO THE BOARD FOR EACH STATE FISCAL YEAR ARE CUSTODIAL
13 FUNDS THAT ARE NOT SUBJECT TO APPROPRIATION BY THE GENERAL
14 ASSEMBLY, AND THE DISTRIBUTION OF PAYMENTS TO THE ADMINISTERING
15 ENTITY OR EXPENDITURE OF THE PAYMENTS BY THE ADMINISTERING
16 ENTITY DOES NOT CONSTITUTE STATE FISCAL YEAR SPENDING FOR
17 PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

18 (3) **Liability limitations.** NOTHING IN THIS SECTION CREATES ANY
19 LIABILITY ON THE BOARD OR THE STATE OF COLORADO FOR THE ACTIONS
20 OF THE BOARD IN MAKING GRANTS TO THE VETERINARY PEER HEALTH
21 ASSISTANCE PROGRAM, AND A CIVIL ACTION SHALL NOT BE BROUGHT OR
22 MAINTAINED AGAINST THE BOARD OR THE STATE FOR AN INJURY ALLEGED
23 TO HAVE BEEN THE RESULT OF THE ACTIVITIES OF ANY STATE-FUNDED
24 VETERINARY PEER HEALTH ASSISTANCE PROGRAM [REDACTED] OR THE RESULT OF
25 AN ACT OR OMISSION OF A VETERINARY PROFESSIONAL PARTICIPATING IN
26 OR REFERRED BY A STATE-FUNDED VETERINARY PEER HEALTH ASSISTANCE
27 [REDACTED] PROGRAM. HOWEVER, THE STATE REMAINS LIABLE UNDER THE

1 "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF TITLE 24,
2 IF AN INJURY ALLEGED TO HAVE BEEN THE RESULT OF AN ACT OR OMISSION
3 OF A VETERINARY PROFESSIONAL PARTICIPATING IN OR REFERRED TO A
4 STATE-FUNDED VETERINARY PEER HEALTH ASSISTANCE PROGRAM
5 OCCURRED WHILE THE VETERINARY PROFESSIONAL WAS PERFORMING
6 DUTIES AS AN EMPLOYEE OF THE STATE.

7 **(4) Rules.** THE BOARD MAY PROMULGATE RULES NECESSARY TO
8 IMPLEMENT THIS SECTION.

9 **SECTION 20.** In Colorado Revised Statutes, 12-315-124, **amend**
10 (1)(a) as follows:

11 **12-315-124. Evaluations of licensees - behavioral health -**
12 **mental health - physical conditions.** (1) (a) (I) If, upon receipt of a
13 signed complaint by a complainant, the board has reasonable cause to
14 believe that a licensed veterinarian is unable to practice veterinary
15 medicine with reasonable skill and safety to patients or clients due to a
16 PHYSICAL CONDITION OR A behavioral HEALTH, mental health, or
17 substance use disorder, the board may require in writing that the licensed
18 veterinarian submit to an examination to evaluate:

19 (A) The existence and extent of the PHYSICAL CONDITION OR THE
20 behavioral HEALTH, mental health, or substance use disorder; and

21 (B) Any impact the PHYSICAL CONDITION OR THE behavioral
22 HEALTH, mental health, or substance use disorder has on the licensed
23 veterinarian's ability to practice veterinary medicine with reasonable skill
24 and safety to patients and clients.

25 (II) A qualified professional employed by or contracting with a
26 **veterinarian** THE VETERINARY peer health assistance program that the
27 board has selected as a designated provider under section 12-315-123

1 shall conduct an examination required by subsection (1)(a)(I) of this
2 section.

3 **SECTION 21.** In Colorado Revised Statutes, **add** part 2 to article
4 315 of title 12 as follows:

5 **PART 2**

6 **VETERINARY TECHNICIANS**

7 **12-315-201. Additional board duties - rules - repeal.** (1) IN
8 ADDITION TO ANY OTHER DUTIES SPECIFIED IN THIS PART 2 OR SECTION
9 12-315-106, THE BOARD SHALL:

10 (a) APPROVE A NATIONALLY RECOGNIZED VETERINARY
11 TECHNICIAN CREDENTIALING ORGANIZATION FOR PURPOSES OF
12 CREDENTIALING VETERINARY TECHNICIANS IN THIS STATE. THE
13 CREDENTIALING ORGANIZATION APPROVED BY THE BOARD MUST:

14 (I) REQUIRE THE COMPLETION OF AN AMERICAN VETERINARY
15 MEDICAL ASSOCIATION-ACCREDITED PROGRAM FOR VETERINARY
16 TECHNICIANS;

17 (II) REQUIRE THAT AN APPLICANT PASS A VETERINARY TECHNICIAN
18 NATIONAL EXAMINATION APPROVED BY THE BOARD;

19 (III) REQUIRE CONTINUING EDUCATION FOR VETERINARY
20 TECHNICIANS; AND

21 (IV) (A) PERMIT CREDENTIALING OF PROVISIONAL REGISTRANTS
22 WHO MEET THE WORK EXPERIENCE AND TESTING REQUIREMENTS SPECIFIED
23 IN SECTION 12-315-203 (4).

24 (B) THIS SUBSECTION (1)(a)(IV) IS REPEALED, EFFECTIVE JULY 1,
25 2028.

26 (b) RECEIVE COMPLAINTS, CONDUCT HEARINGS IN ACCORDANCE
27 WITH THIS PART 2 AND SECTION 12-315-113, AND TAKE DISCIPLINARY OR

1 OTHER ACTIONS PURSUANT TO THIS PART 2 AND SECTION 12-20-404.

2 (2) IF THE BOARD DOES NOT APPROVE A CREDENTIALING
3 ORGANIZATION FOR PURPOSES OF CREDENTIALING VETERINARY
4 TECHNICIANS IN THIS STATE PURSUANT TO SUBSECTION (1)(a) OF THIS
5 SECTION BECAUSE THERE IS NO CREDENTIALING ORGANIZATION THAT
6 MEETS THE REQUIREMENTS SET FORTH IN SUBSECTIONS (1)(a)(I) TO
7 (1)(a)(IV) OF THIS SECTION OR FOR ANY OTHER REASON, THE BOARD
8 SHALL ESTABLISH BY RULE AND ADMINISTER A CREDENTIALING PROCESS
9 FOR VETERINARY TECHNICIAN REGISTRATION PURSUANT TO THIS PART 2.

10 **12-315-202. Registration required - rules.** EFFECTIVE JANUARY
11 1, 2024, A PERSON WHO PRACTICES AS A VETERINARY TECHNICIAN IN THIS
12 STATE MUST BE REGISTERED BY THE BOARD PURSUANT TO THIS PART 2
13 AND RULES ADOPTED BY THE BOARD FOR THE REGISTRATION OF
14 VETERINARY TECHNICIANS.

15 **12-315-203. Application for veterinary technician registration**
16 **- qualifications - provisional registration - fee - rules - repeal.** (1) A
17 PERSON WHO DESIRES TO PRACTICE AS A VETERINARY TECHNICIAN IN THIS
18 STATE MUST FILE AN APPLICATION FOR REGISTRATION WITH THE BOARD,
19 ALONG WITH THE REQUIRED APPLICATION FEE, IN THE MANNER
20 DETERMINED BY THE BOARD.

21 (2) TO BE QUALIFIED FOR REGISTRATION, AN APPLICANT MUST:
22 (a) BE AT LEAST EIGHTEEN YEARS OF AGE; AND
23 (b) DEMONSTRATE TO THE BOARD'S SATISFACTION THAT THE
24 APPLICANT HAS OBTAINED AND MAINTAINS IN GOOD STANDING
25 CREDENTIALING AS A VETERINARY TECHNICIAN FROM THE VETERINARY
26 TECHNICIAN CREDENTIALING ORGANIZATION.

27 (3) COMMENCING JANUARY 1, 2023, THE BOARD SHALL ISSUE A

1 REGISTRATION TO A QUALIFIED APPLICANT WHO MEETS THE
2 REQUIREMENTS AND QUALIFICATIONS OF THIS SECTION AND BOARD RULES;
3 EXCEPT THAT THE BOARD MAY DENY REGISTRATION TO AN APPLICANT
4 WHO HAS COMMITTED AN ACT THAT WOULD BE GROUNDS FOR
5 DISCIPLINARY ACTION PURSUANT TO SECTION 12-315-207.

6 (4) (a) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS SECTION,
7 A PERSON WORKING IN THE ROLE OF A VETERINARY TECHNICIAN ON AND
8 AFTER JANUARY 1, 2023, WHO DOES NOT MEET THE REQUIREMENTS SET
9 FORTH IN SUBSECTION (2)(b) OF THIS SECTION MAY FILE WITH THE BOARD
10 AN APPLICATION FOR A PROVISIONAL REGISTRATION NOT LATER THAN
11 JANUARY 1, 2024, ALONG WITH THE REQUIRED APPLICATION FEE, IN THE
12 MANNER DETERMINED BY THE BOARD.

13 (b) A PROVISIONAL REGISTRATION ISSUED PURSUANT TO THIS
14 SUBSECTION (4) MAY BE RENEWED, AS DETERMINED BY THE BOARD BY
15 RULE. THE PROVISIONAL REGISTRATION EXPIRES THE EARLIER OF:

16 (I) THE DATE ON WHICH THE BOARD ISSUES A REGISTRATION TO AN
17 APPLICANT PURSUANT TO SUBSECTION (3) OF THIS SECTION;
18 (II) TWENTY-EIGHT DAYS AFTER THE PERSON HAS SATISFIED THE
19 REQUIREMENTS IN SUBSECTION (4)(c)(I) OR (4)(c)(II) OF THIS SECTION
20 AND IS ELIGIBLE TO APPLY TO THE CREDENTIALING ORGANIZATION FOR
21 CREDENTIALING IN THIS STATE;

22 (III) THE DATE ON WHICH THE BOARD DENIES THE PROVISIONAL
23 REGISTRATION RENEWAL APPLICATION; OR

24 (IV) JANUARY 1, 2028.

25 (c) THE CREDENTIALING ORGANIZATION SHALL ACCEPT AS
26 SATISFACTION OF EDUCATIONAL AND TESTING REQUIREMENTS FOR
27 CREDENTIALING A PERSON HOLDING A PROVISIONAL REGISTRATION IN

1 GOOD STANDING WHO APPLIES FOR CREDENTIALING NOT LATER THAN
2 DECEMBER 31, 2027, AND WHO DEMONSTRATES TO THE CREDENTIALING
3 ORGANIZATION'S SATISFACTION THAT THE PROVISIONAL REGISTRANT HAS
4 EITHER:

5 (I) OBTAINED AT LEAST SIX THOUSAND FIVE HUNDRED HOURS OF
6 WORK EXPERIENCE EQUIVALENT TO THE WORK PERFORMED BY A
7 VETERINARY TECHNICIAN AND HAS PASSED A NATIONAL VETERINARY
8 TECHNICIAN EXAMINATION APPROVED BY THE BOARD PURSUANT TO
9 SECTION 12-315-201 (1)(a)(II); OR

10 (II) HAS OBTAINED AT LEAST NINE THOUSAND HOURS OF WORK
11 EXPERIENCE EQUIVALENT TO THE WORK PERFORMED BY A VETERINARY
12 TECHNICIAN.

13 (d) A PERSON HOLDING A PROVISIONAL REGISTRATION IS SUBJECT
14 TO DISCIPLINE PURSUANT TO SECTION 12-315-207.

15 (e) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SUBSECTION
16 (4) TO THE CONTRARY, THE BOARD MAY ESTABLISH, BY RULE, A PROCESS
17 FOR AND CONDITIONS UNDER WHICH A PROVISIONAL REGISTRANT MAY
18 APPLY FOR A HARSHIP EXTENSION TO EXTEND, TO A DATE NOT LATER
19 THAN JUNE 30, 2028:

20 (I) THE VALIDITY OF A PROVISIONAL REGISTRATION;
21 (II) THE TIME WITHIN WHICH THE PROVISIONAL REGISTRANT MAY
22 SATISFY THE EDUCATION AND TESTING REQUIREMENTS; OR

23 (III) THE DATE BY WHICH THE PROVISIONAL REGISTRANT MUST
24 APPLY TO THE CREDENTIALING ORGANIZATION.

25 (f) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE OCTOBER 1,
26 2028.

27 (5) THE BOARD SHALL MAKE AVAILABLE ON ITS WEBSITE THE

1 REQUIREMENTS FOR CREDENTIALING BY THE CREDENTIALING
2 ORGANIZATION, AS WELL AS INFORMATION CONCERNING THE VETERINARY
3 TECHNICIAN REGISTRATION BY ENDORSEMENT UNDER SECTION 12-315-205
4 AND THE OCCUPATIONAL CREDENTIAL PORTABILITY PROGRAM.

5 **12-315-204. Use of title restricted.** ON AND AFTER JANUARY 1,
6 2024, ONLY A PERSON WHO IS REGISTERED PURSUANT TO THIS PART 2 MAY
7 USE THE TITLE "VETERINARY TECHNICIAN" OR "REGISTERED VETERINARY
8 TECHNICIAN" OR THE INITIALS "VT" OR "RVT".

9 **12-315-205. Veterinary technicians - registration by**
10 **endorsement.** THE BOARD MAY ISSUE A REGISTRATION BY ENDORSEMENT
11 TO A VETERINARY TECHNICIAN APPLICANT WHO SATISFIES THE
12 REQUIREMENTS OF THE OCCUPATIONAL CREDENTIAL PORTABILITY
13 PROGRAM.

14 **12-315-206. Expiration, renewal, reinstatement, or**
15 **reactivation of a registration - inactive status - rules - definition.**

16 (1) A REGISTRATION ISSUED PURSUANT TO THIS PART 2 IS SUBJECT TO THE
17 RENEWAL, EXPIRATION, REINSTATEMENT, AND DELINQUENCY FEE
18 PROVISIONS SPECIFIED IN SECTION 12-20-202 (1) AND (2). A PERSON
19 WHOSE REGISTRATION EXPIRES IS SUBJECT TO THE PENALTIES PROVIDED
20 IN THIS PART 2 OR SECTION 12-20-202 (1).

21 (2) THE BOARD, BY RULE, MAY WAIVE A VETERINARY
22 TECHNICIAN'S RENEWAL FEE WHILE THE VETERINARY TECHNICIAN IS ON
23 ACTIVE DUTY WITH ANY BRANCH OF THE ARMED SERVICES OF THE UNITED
24 STATES. THE PERIOD DURING WHICH THE RENEWAL FEE IS WAIVED CANNOT
25 EXCEED THE LONGER OF THREE YEARS OR THE DURATION OF A NATIONAL
26 EMERGENCY.

27 (3) THE BOARD SHALL NOT RENEW, REINSTATE, OR REACTIVATE A

1 REGISTRATION ISSUED PURSUANT TO SECTION 12-315-203 (3) UNLESS THE
2 VETERINARY TECHNICIAN DEMONSTRATES TO THE BOARD'S SATISFACTION
3 THAT THE VETERINARY TECHNICIAN MAINTAINS ACTIVE CREDENTIALING
4 WITH THE CREDENTIALING ORGANIZATION. SUBJECT TO BOARD RULE, THE
5 EVIDENCE MAY BE PROVIDED BY AN ATTESTATION ON THE REGISTRATION
6 APPLICATION.

7 (4) (a) UPON NOTICE TO THE BOARD, THE BOARD SHALL TRANSFER
8 A VETERINARY TECHNICIAN'S REGISTRATION TO INACTIVE STATUS. IF A
9 PERSON WHOSE REGISTRATION IS IN INACTIVE STATUS WISHES TO RESUME
10 PRACTICING AS A VETERINARY TECHNICIAN, THE PERSON SHALL APPLY TO
11 THE BOARD IN A FORM AND MANNER APPROVED BY THE BOARD AND SHALL
12 DEMONSTRATE, TO THE SATISFACTION OF THE BOARD, THAT THE PERSON
13 HAS OBTAINED AND MAINTAINS CREDENTIALING IN GOOD STANDING BY
14 THE CREDENTIALING ORGANIZATION.

15 (b) THE BOARD MAY PURSUE DISCIPLINARY PROCEEDINGS
16 PURSUANT TO SECTION 12-315-207 AGAINST A VETERINARY TECHNICIAN
17 WHOSE REGISTRATION IS INACTIVE PURSUANT TO THIS SUBSECTION (4) FOR
18 CONDUCT THAT VIOLATES THIS PART 2 THAT THE PERSON ENGAGES IN
19 WHILE THE REGISTRATION IS IN INACTIVE STATUS.

20 **12-315-207. Discipline of a registered veterinary technician -**
21 **repeal.** (1) UPON RECEIPT OF A SIGNED COMPLAINT BY A COMPLAINANT
22 OR UPON ITS OWN MOTION, THE BOARD MAY PROCEED TO A HEARING IN
23 ACCORDANCE WITH SECTION 12-315-113. AFTER A HEARING, AND BY A
24 CONCURRENCE OF A MAJORITY OF MEMBERS, THE BOARD MAY TAKE
25 DISCIPLINARY ACTION AS AUTHORIZED IN SECTION 12-20-404 AGAINST AN
26 APPLICANT FOR A REGISTRATION OR A REGISTERED VETERINARY
27 TECHNICIAN FOR ANY OF THE FOLLOWING REASONS:

4 (b) (I) FRAUD, MISREPRESENTATION, OR DECEPTION IN
5 ATTEMPTING TO OBTAIN OR IN OBTAINING A REGISTRATION OR RENEWING
6 A REGISTRATION;

7 (II) (A) FRAUD, MISREPRESENTATION, OR DECEPTION IN
8 ATTEMPTING TO OBTAIN OR IN OBTAINING A PROVISIONAL REGISTRATION
9 OR RENEWING A PROVISIONAL REGISTRATION;

10 (B) THIS SUBSECTION (1)(b)(II) IS REPEALED, EFFECTIVE OCTOBER
11 1, 2028.

12 (c) CONVICTION OF A CHARGE OF CRUELTY TO ANIMALS;

13 (d) WILLFULLY MAKING ANY FALSE STATEMENT AS TO ANY
14 MATERIAL MATTER IN ANY OATH OR AFFIDAVIT THAT IS REQUIRED BY THIS
15 ARTICLE 315;

16 (e) UNPROFESSIONAL OR UNETHICAL CONDUCT OR ENGAGING IN
17 PRACTICES THAT ARE IN VIOLATION OF GENERALLY ACCEPTED STANDARDS
18 FOR PRACTICE AS A VETERINARY TECHNICIAN OR PRESCRIBED BY THE
19 RULES OF THE BOARD;

20 (f) THE VETERINARY TECHNICIAN:

21 (I) HAS A REGISTRATION OR CREDENTIAL AS A VETERINARY
22 TECHNICIAN IN ANOTHER STATE REVOKED OR SUSPENDED;

23 (II) IS OTHERWISE DISCIPLINED BY ANOTHER STATE; OR

24 (III) HAS COMMITTED ACTS IN ANOTHER STATE THAT WOULD
25 SUBJECT THE PERSON TO DISCIPLINARY ACTION IN THIS STATE:

26 (g) PRACTICING AS A VETERINARY TECHNICIAN WHILE IN INACTIVE
27 STATUS OR WHILE THE PERSON'S REGISTRATION IS EXPIRED;

5 (i) CONVICTION OF A VIOLATION OF THE "UNIFORM CONTROLLED
6 SUBSTANCES ACT OF 2013", ARTICLE 18 OF TITLE 18; THE FEDERAL
7 "CONTROLLED SUBSTANCES ACT", 21 U.S.C. SEC. 801 ET SEQ., AS
8 AMENDED; OR THE FEDERAL "CONTROLLED SUBSTANCES IMPORT AND
9 EXPORT ACT", 21 U.S.C. SEC. 951 ET SEQ., AS AMENDED;

10 (j) CONVICTION OF A CRIME IN THE COURTS OF THIS STATE OR OF
11 A CRIME IN ANY OTHER STATE, ANY TERRITORY, OR ANY OTHER COUNTRY
12 FOR AN OFFENSE RELATED TO THE CONDUCT REGULATED BY THIS PART 2,
13 REGARDLESS OF WHETHER THE SENTENCE IS DEFERRED. AS USED IN THIS
14 SUBSECTION (1)(j), "CONVICTION" INCLUDES A PLEA OF GUILTY OR A PLEA
15 OF NOLO CONTENDERE ACCEPTED BY THE COURT.

16 (k) HABITUAL OR EXCESSIVE USE OR ABUSE OF ALCOHOL
17 BEVERAGES, A HABIT-FORMING DRUG, OR A CONTROLLED SUBSTANCE AS
18 DEFINED IN SECTION 18-18-102 (5);

26 (m) FAILING TO REPORT A KNOWN VIOLATION OF ANY PROVISION
27 OF THIS SECTION;

1 (n) PRACTICING OR PERFORMING SERVICES BEYOND A
2 REGISTRANT'S SCOPE OF COMPETENCE;

3 (o) FAILING TO RESPOND TO A COMPLAINT AGAINST THE
4 REGISTERANT;

5 (p) FAILING TO PROVIDE TO THE BOARD AN UPDATED MAILING
6 ADDRESS AND OTHER CONTACT INFORMATION AS REQUIRED BY THE BOARD
7 WITHIN THIRTY DAYS AFTER A CHANGE IN THE INFORMATION; OR

8 (q) FAILING TO COMPLY WITH THE TERMS AGREED TO UNDER A
9 CONFIDENTIAL AGREEMENT ENTERED INTO UNDER SECTIONS 12-30-108
10 AND 12-315-125.

17 (4) THE RECORD OF CONVICTION OF A FELONY IN A COURT OF
18 COMPETENT JURISDICTION IS SUFFICIENT EVIDENCE FOR THE BOARD TO
19 TAKE DISCIPLINARY ACTION AGAINST THE REGISTRANT AS DEEMED PROPER
20 BY THE BOARD. FOR THE PURPOSES OF THIS PART 2, A CONVICTION IS
21 DEEMED TO BE A CONVICTION THAT HAS BEEN UPHELD BY THE HIGHEST
22 APPELLATE COURT HAVING JURISDICTION OR A CONVICTION UPON WHICH
23 THE TIME FOR FILING AN APPEAL HAS PASSED.

1 TAKEN AGAINST A VETERINARY TECHNICIAN IN ANOTHER JURISDICTION IF
2 THE VIOLATION THAT PROMPTED THE DISCIPLINARY ACTION IN THE
3 JURISDICTION WOULD CONSTITUTE GROUNDS FOR DISCIPLINARY ACTION
4 UNDER THIS SECTION.

5 (6) IN ADDITION TO ANY OTHER PENALTY THAT MAY BE IMPOSED
6 PURSUANT TO THIS SECTION, A PERSON VIOLATING ANY PROVISION OF THIS
7 PART 2 OR ANY RULES PROMULGATED PURSUANT TO THIS PART 2 MAY BE
8 FINED NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN ONE
9 THOUSAND DOLLARS FOR ANY SUCH VIOLATION.

10 (7) THE BOARD MAY ISSUE CEASE-AND-DESIST ORDERS UNDER THE
11 CIRCUMSTANCES AND IN ACCORDANCE WITH SECTION 12-20-405; EXCEPT
12 THAT THE BOARD MAY ALSO ISSUE A CEASE-AND-DESIST ORDER ON ITS
13 OWN MOTION.

14 (8) THE BOARD MAY SUSPEND THE REGISTRATION OF A
15 VETERINARY TECHNICIAN WHO FAILS TO COMPLY WITH AN ORDER OF THE
16 BOARD ISSUED IN ACCORDANCE WITH THIS SECTION. THE BOARD MAY
17 IMPOSE THE REGISTRATION SUSPENSION UNTIL THE REGISTRANT COMPLIES
18 WITH THE BOARD'S ORDER.

19 **12-315-208. Examination of registrants - behavioral health -**
20 **mental health - physical conditions.** (1) (a) (I) IF, UPON RECEIPT OF A
21 SIGNED COMPLAINT BY A COMPLAINANT, THE BOARD HAS REASONABLE
22 CAUSE TO BELIEVE THAT A VETERINARY TECHNICIAN IS UNABLE TO
23 PRACTICE AS A VETERINARY TECHNICIAN WITH REASONABLE SKILL AND
24 SAFETY TO PATIENTS OR CLIENTS DUE TO A PHYSICAL CONDITION OR A
25 BEHAVIORAL HEALTH, MENTAL HEALTH, OR SUBSTANCE USE DISORDER,
26 THE BOARD MAY REQUIRE IN WRITING THAT THE VETERINARY TECHNICIAN
27 SUBMIT TO AN EXAMINATION TO EVALUATE:

4 (B) ANY IMPACT THE PHYSICAL CONDITION OR THE BEHAVIORAL
5 HEALTH, MENTAL HEALTH, OR SUBSTANCE USE DISORDER HAS ON THE
6 VETERINARY TECHNICIAN'S ABILITY TO PRACTICE AS A VETERINARY
7 TECHNICIAN WITH REASONABLE SKILL AND SAFETY TO PATIENTS AND
8 CLIENTS.

26 (a) GIVEN CONSENT TO SUBMIT TO AN EXAMINATION THAT THE
27 BOARD MAY REQUIRE UNDER SUBSECTION (1)(a) OF THIS SECTION; AND

5 (3) (a) A PERSON SHALL NOT USE THE RESULTS OF AN
6 EXAMINATION ORDERED UNDER SUBSECTION (1)(a) OF THIS SECTION AS
7 EVIDENCE IN ANY PROCEEDING OTHER THAN A PROCEEDING BEFORE THE
8 BOARD.

14 **12-315-209. Duties of licensed veterinarian - direction and**
15 **supervision of veterinary technician - rules.** (1) A VETERINARY
16 TECHNICIAN IS AUTHORIZED TO PROVIDE CARE TO ANIMALS UNDER THE
17 DIRECTION AND SUPERVISION, AS DEFINED BY THE BOARD BY RULE, OF A
18 LICENSED VETERINARIAN WHO IS RESPONSIBLE FOR THE VETERINARY
19 TECHNICIAN'S PERFORMANCE. THE LICENSED VETERINARIAN DIRECTING
20 AND SUPERVISING THE VETERINARY TECHNICIAN IS RESPONSIBLE FOR THE
21 CARE OF THE ANIMAL.

22 (2) NOTHING IN THIS PART 2 PROHIBITS A PERSON WHO IS NOT A
23 VETERINARY TECHNICIAN PURSUANT TO THIS PART 2 FROM PERFORMING
24 TASKS RELATING TO ANIMAL CARE UNDER THE DIRECTION AND
25 SUPERVISION OF A LICENSED VETERINARIAN WHO IS RESPONSIBLE FOR THE
26 CARE OF THE ANIMAL.

27 12-315-210. Unauthorized practice - penalties. A PERSON WHO

1 PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE AS A VETERINARY
2 TECHNICIAN WITHOUT AN ACTIVE REGISTRATION ISSUED UNDER THIS PART
3 2 IS SUBJECT TO PENALTIES PURSUANT TO SECTION 12-20-407 (1)(a).

4 **SECTION 22.** In Colorado Revised Statutes, 12-280-112, **amend**
5 (1)(q) as follows:

6 **12-280-112. Fees.** (1) The director shall determine, and the board
7 shall collect, fees pursuant to section 12-20-105 for the following
8 licenses, certifications, and registrations:

9 (q) For the initial and renewal registration of humane societies,
10 and animal control agencies, AND ANIMAL SHELTERS pursuant to section
11 12-280-119 (12);

12 **SECTION 23.** In Colorado Revised Statutes, 12-280-119, **add**
13 (12)(b.5) as follows:

14 **12-280-119. Registration of facilities - rules.** (12) (b.5) THE
15 BOARD MAY ISSUE A LIMITED LICENSE TO A HUMANE SOCIETY, ANIMAL
16 CONTROL AGENCY, OR ANIMAL SHELTER TO PERFORM THE ACTIVITIES
17 DESCRIBED IN SECTION 12-280-120 (17)(c).

18 **SECTION 24.** In Colorado Revised Statutes, 12-280-120, **add**
19 (17)(c) as follows:

20 **12-280-120. Compounding - dispensing - sale of drugs and**
21 **devices - rules - definition.** (17) (c) A HUMANE SOCIETY, ANIMAL
22 CONTROL AGENCY, OR ANIMAL SHELTER THAT IS REGISTERED WITH THE
23 BOARD PURSUANT TO SECTION 12-280-119 (12) IS AUTHORIZED TO
24 PURCHASE AND POSSESS VACCINES AND ADMINISTER VACCINES IN
25 ACCORDANCE WITH APPLICABLE LAWS.

26 **SECTION 25.** In Colorado Revised Statutes, 25-4-607, **amend**
27 (1)(a) as follows:

1 **25-4-607. Order of board of health requiring inoculation of**
2 **animals - veterinarian waiver of order.** (1) (a) When it is deemed
3 advisable in the interest of public health and safety, the board of health of
4 an organized health department or a county board of health may order that
5 all dogs, cats, other pet animals, or other mammals in the county or
6 district be vaccinated against rabies, such vaccination to be performed by
7 a licensed veterinarian OR UNDER THE INDIRECT SUPERVISION, AS DEFINED
8 IN SECTION 12-315-104 (10.5), OF A LICENSED VETERINARIAN. THE
9 VETERINARIAN SIGNING A RABIES VACCINATION CERTIFICATE SHALL
10 ENSURE THAT THE PERSON WHO ADMINISTERED THE VACCINE IS IDENTIFIED
11 ON THE CERTIFICATE AND HAS BEEN APPROPRIATELY TRAINED IN VACCINE
12 STORAGE, HANDLING, AND ADMINISTRATION AND IN THE MANAGEMENT OF
13 ADVERSE EVENTS.

14 **SECTION 26. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly; except
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V
18 of the state constitution against this act or an item, section, or part of this
19 act within such period, then the act, item, section, or part will not take
20 effect unless approved by the people at the general election to be held in
21 November 2022 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.