

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 22-0319.01 Brita Darling x2241

HOUSE BILL 22-1235

HOUSE SPONSORSHIP

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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, ■■■■■ ADDING**
107 **REGISTRATION REQUIREMENTS FOR VETERINARY TECHNICIANS,**
108 **ADDING VETERINARY TECHNICIANS TO THE STATE BOARD OF**
109 **VETERINARY MEDICINE, ■■■■■ ALLOWING CERTAIN UNLICENSED**
110 **INDIVIDUALS TO ADMINISTER RABIES ■■■■■ VACCINATIONS, AND**
111 **MAKING AN APPROPRIATION.**

HOUSE
3rd Reading Unamended
April 11, 2022

HOUSE
Amended 2nd Reading
April 8, 2022

Bill Summary

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.

(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://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** (1.5), (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 (1.5) "ANIMAL SHELTER" HAS THE MEANING SET FORTH IN SECTION
11 35-80-102.

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

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

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

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

24 (25) "VETERINARY TECHNICIAN CREDENTIALING ORGANIZATION"
25 OR "CREDENTIALING ORGANIZATION" MEANS:

26 (a) A VETERINARY TECHNICIAN CREDENTIALING ORGANIZATION
27 APPROVED BY THE BOARD PURSUANT TO SECTION 12-315-201 TO

1 CREDENTIAL VETERINARY TECHNICIANS IN THIS STATE; OR
2 (b) THE BOARD IF, PURSUANT TO SECTION 12-315-201 (2), NO
3 CREDENTIALING ORGANIZATION IS APPROVED.

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

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

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

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

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

25 (B) A PERSON WORKING ON BEHALF OF AN ANIMAL SHELTER FROM
26 ADMINISTERING A RABIES VACCINE TO ~~ANIMAL~~ SHELTER-OWNED ANIMALS
27 IF THE PERSON IS UNDER THE INDIRECT SUPERVISION OF A LICENSED

1 VETERINARIAN AND HAS BEEN TRAINED IN RABIES VACCINE STORAGE,
2 HANDLING, AND ADMINISTRATION AND IN THE MANAGEMENT OF ADVERSE
3 EVENTS.

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

8 **SECTION 10.** In Colorado Revised Statutes, 12-315-106, **amend**
9 (1), (2), (5)(a), (5)(b), (5)(d), (5)(g), and (7) as follows:

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

22 (2) The governor shall appoint:

23 (a) Five members to the board who:

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

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

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

1 ~~governor shall appoint~~

2 (b) NOT LATER THAN ~~MARCH~~ 1, 2023, TWO MEMBERS TO THE
3 BOARD WHO ARE RESIDENTS OF THIS STATE AND WHO, FOR AT LEAST FIVE
4 YEARS IMMEDIATELY PRECEDING THE TIME OF APPOINTMENT:

5 (I) HAVE BEEN CERTIFIED BY A COLORADO ASSOCIATION OF
6 VETERINARY TECHNICIANS; AND

7 (II) HAVE BEEN PRACTICING AS VETERINARY TECHNICIANS IN THIS
8 STATE; AND

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

11 (5) The board has the power to:

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

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

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

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

1 315.

2 (7) The powers of the board are granted to enable the board to
3 effectively supervise the practice of veterinary medicine AND OF
4 VETERINARY TECHNICIANS and are to be construed liberally to accomplish
5 this objective.

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

8 **12-315-107. Application for license - qualifications - rules.**

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

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

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

15 **12-315-110. License renewal - waiver - rules - continuing
education.** (1) All licenses issued pursuant to this ~~article 315~~ PART 1 are
16 subject to the renewal, expiration, reinstatement, and delinquency fee
17 provisions specified in section 12-20-202 (1) and (2). A person whose
18 license expires is subject to the penalties provided in this ~~article 315~~ PART
19 1 or section 12-20-202 (1).

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

1 may prescribe the type and character of continuing education courses to
2 be taken by any doctor of veterinary medicine in order to comply with the
3 requirements of this ~~article 315~~ PART 1.

4 (II) THE BOARD-APPROVED CONTINUING EDUCATIONAL PROGRAM
5 MUST:

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

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

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

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

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

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

1 veterinarian for any of the following reasons:

2 (a) Violation of any ~~provisions~~ PROVISION of this article 315, an
3 applicable provision of article 20 or 30 of this title 12, or any ~~rules~~ RULE
4 OR ORDER of the board;

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

11 (ee) Failure to properly supervise a veterinary student, A
12 VETERINARY STUDENT PRECEPTOR, A VETERINARY TECHNICIAN, OR OTHER
13 veterinary staff;

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

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

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

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

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

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

12 **SECTION 16.** In Colorado Revised Statutes, **amend** 12-315-115
13 as follows:

14 **12-315-115. Abandonment of animals - definition.** (1) An
15 animal placed in the custody of a licensed veterinarian for treatment,
16 boarding, or other care that is unclaimed by its owner or the owner's agent
17 for more than ten days after written notice, by certified mail, return
18 receipt requested, is given to the addressee at the last-known address is
19 deemed to be abandoned and may be turned over to the nearest ~~humane~~
20 society or animal shelter or disposed of in a manner deemed appropriate
21 by the custodian.

22 (2) The giving of notice to the owner, or the agent of the owner,
23 of the animal by the licensed veterinarian, as provided in subsection (1)
24 of this section, shall relieve the licensed veterinarian and any custodian
25 to whom the animal may be given of any further liability for disposal. The
26 procedure by the licensed veterinarian shall not constitute grounds for
27 disciplining procedure under this ~~article 315~~ PART 1.

6 SECTION 17. In Colorado Revised Statutes, 12-315-116, amend

7 (1) introductory portion and (2) as follows:

8 **12-315-116. Veterinary students and veterinary student**
9 **preceptors.** (1) All duties OR ACTIONS performed by a veterinary student
10 OR VETERINARY STUDENT PRECEPTOR must be ASSIGNED BY THE
11 STUDENT'S INSTRUCTOR OR BE PERFORMED under the direct supervision of
12 a licensed veterinarian. If the student does not conform to the following
13 requirements, the licensed veterinarian is in violation of this ~~article 315~~
14 PART 1. A veterinary student OR VETERINARY STUDENT PRECEPTOR may:

20 SECTION 18. In Colorado Revised Statutes, 12-315-119, amend

21 (3)(b) as follows:

22 **12-315-119. Veterinary records in custody of animal care**
23 **providers - definition - rules.** (3) (b) (I) All practicing veterinarians in
24 this state shall maintain accurate records for every new or existing
25 veterinarian-client-patient relationship. In the animal patient records, the
26 licensed veterinarian shall justify and describe the assessment, diagnosis,
27 and treatment administered or prescribed and all medications and dosages

1 prescribed in a legible, written, printed, or electronically prepared
2 document that is unalterable. The licensed veterinarian shall prepare the
3 records in a manner that allows any subsequent evaluation of the same
4 animal patient record to yield comprehensive medical, patient, and
5 veterinarian identifying information. Licensed veterinarians shall
6 maintain animal patient records for a minimum of three years after the
7 animal patient's last medical examination.

8 (II) AS PART OF THE REQUIREMENT IN SUBSECTION (3)(b)(I) OF
9 THIS SECTION FOR ALL PRACTICING VETERINARIANS IN THIS STATE TO
10 MAINTAIN ACCURATE RECORDS, EACH VETERINARIAN SHALL CREATE A
11 WRITTEN PLAN FOR THE STORAGE, SECURITY, AND DISPOSAL OF PATIENT
12 RECORDS TO ENSURE THAT PATIENT RECORDS ARE SECURELY STORED AND
13 DISPOSED OF WHEN NECESSARY.

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

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

26 (I) PROVIDE FOR THE EDUCATION OF VETERINARY PROFESSIONALS
27 WITH RESPECT TO THE RECOGNITION AND PREVENTION OF PHYSICAL,

1 EMOTIONAL, AND PSYCHOLOGICAL CONDITIONS AND PROVIDE FOR
2 INTERVENTION WHEN NECESSARY OR UNDER CIRCUMSTANCES
3 ESTABLISHED BY THE BOARD BY RULE;

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

6 (III) EVALUATE THE EXTENT OF THE PHYSICAL, EMOTIONAL, OR
7 PSYCHOLOGICAL CONDITION AND REFER THE VETERINARY PROFESSIONAL
8 FOR APPROPRIATE TREATMENT;

9 (IV) MONITOR THE STATUS OF A VETERINARY PROFESSIONAL
10 REFERRED FOR TREATMENT;

11 (V) PROVIDE COUNSELING AND SUPPORT FOR THE VETERINARY
12 PROFESSIONAL AND FOR THE FAMILY OF ANY VETERINARY PROFESSIONAL
13 REFERRED FOR TREATMENT;

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

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

17 (b) UPON RECEIPT OF A SIGNED COMPLAINT BY A COMPLAINANT,
18 THE BOARD MAY REQUIRE A VETERINARY PROFESSIONAL TO PARTICIPATE
19 IN THE VETERINARY PEER HEALTH ASSISTANCE PROGRAM AND TO ENTER
20 INTO A STIPULATION WITH THE BOARD PURSUANT TO SECTION 12-20-405

21 (3) BEFORE PARTICIPATING IN THE PROGRAM. THE AGREEMENT MUST
22 CONTAIN SPECIFIC REQUIREMENTS AND GOALS TO BE MET BY THE
23 PARTICIPANT, INCLUDING THE CONDITIONS UNDER WHICH THE PROGRAM
24 WILL BE SUCCESSFULLY COMPLETED OR TERMINATED, AND A PROVISION
25 THAT A FAILURE TO COMPLY WITH THE REQUIREMENTS AND GOALS IS TO
26 BE PROMPTLY REPORTED TO THE BOARD AND THAT FAILURE WILL RESULT
27 IN DISCIPLINARY ACTION BY THE BOARD.

12 (d) ANY VETERINARY PROFESSIONAL WHO IS ACCEPTED INTO THE
13 VETERINARY PEER HEALTH ASSISTANCE PROGRAM IN LIEU OF DISCIPLINARY
14 ACTION BY THE BOARD SHALL AFFIRM THAT, TO THE BEST OF THE
15 VETERINARY PROFESSIONAL'S KNOWLEDGE, INFORMATION, AND BELIEF,
16 THE VETERINARY PROFESSIONAL KNOWS OF NO INSTANCE IN WHICH THE
17 VETERINARY PROFESSIONAL HAS VIOLATED THIS ARTICLE 315 OR THE
18 RULES OF THE BOARD, EXCEPT IN THOSE INSTANCES AFFECTED BY THE
19 VETERINARY PROFESSIONAL'S PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL
20 CONDITION.

21 (e) A VETERINARY PROFESSIONAL WHO IS ARRESTED FOR A DRUG-
22 OR ALCOHOL-RELATED OFFENSE SHALL SELF-REFER TO THE VETERINARY
23 PEER HEALTH ASSISTANCE PROGRAM WITHIN THIRTY DAYS AFTER THE
24 ARREST FOR AN EVALUATION AND REFERRAL TO APPROPRIATE
25 TREATMENT, IF NECESSARY. IF THE VETERINARY PROFESSIONAL
26 SELF-REFERS, THE EVALUATION BY THE VETERINARY PEER HEALTH
27 ASSISTANCE PROGRAM IS CONFIDENTIAL AND CANNOT BE USED AS

1 EVIDENCE IN ANY PROCEEDING OTHER THAN A PROCEEDING BEFORE THE
2 BOARD. A VETERINARY PROFESSIONAL'S FAILURE TO COMPLY WITH THIS
3 SUBSECTION (1)(e), ALONE, IS NOT GROUNDS FOR DISCIPLINE UNDER
4 SECTION 12-315-112 OR 12-315-207, UNLESS THE VETERINARY
5 PROFESSIONAL HAS ALSO COMMITTED AN ACT OR OMISSION SPECIFIED IN
6 THIS ARTICLE 315.

7 (f) AS A CONDITION OF LICENSURE OR REGISTRATION AND
8 RENEWAL OF A LICENSE OR REGISTRATION IN THIS STATE, EVERY
9 VETERINARY PROFESSIONAL APPLYING FOR A NEW LICENSE OR
10 REGISTRATION OR TO RENEW A LICENSE OR REGISTRATION SHALL PAY TO
11 THE BOARD, FOR USE BY THE ADMINISTERING ENTITY SELECTED BY THE
12 BOARD PURSUANT TO SUBSECTION (2) OF THIS SECTION, A FEE IN AN
13 AMOUNT NOT TO EXCEED FORTY DOLLARS PER YEAR, WHICH MAXIMUM
14 AMOUNT MAY BE ADJUSTED ON JANUARY 1, 2012, AND ANNUALLY
15 THEREAFTER BY THE BOARD TO REFLECT CHANGES IN THE UNITED STATES
16 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR
17 DENVER-AURORA-LAKWOOD FOR ALL URBAN CONSUMERS OR GOODS, OR
18 ITS SUCCESSOR INDEX. THE BOARD SHALL FORWARD THE FEE TO THE
19 CHOSEN ADMINISTERING ENTITY FOR USE IN SUPPORTING VETERINARY
20 PROFESSIONALS THROUGH THE VETERINARY PEER HEALTH ASSISTANCE
21 PROGRAM.

22 [REDACTED]

23 (2) **Administering entity.** (a) THE BOARD MAY SELECT AN ENTITY
24 TO ADMINISTER THE VETERINARY PEER HEALTH ASSISTANCE PROGRAM.
25 THE ADMINISTERING ENTITY MUST BE A NONPROFIT PRIVATE FOUNDATION
26 THAT IS QUALIFIED UNDER SECTION 501 (c)(3) OF THE FEDERAL "INTERNAL
27 REVENUE CODE OF 1986", AS AMENDED, AND THAT IS DEDICATED TO

1 PROVIDING SUPPORT FOR CHARITABLE, BENEVOLENT, EDUCATIONAL, AND
2 SCIENTIFIC PURPOSES THAT ARE RELATED TO VETERINARY MEDICINE,
3 VETERINARY MEDICAL EDUCATION, VETERINARY MEDICAL RESEARCH AND
4 SCIENCE, AND OTHER VETERINARY MEDICAL CHARITABLE PURPOSES.

5 (b) THE ADMINISTERING ENTITY SHALL:

6 (I) DISTRIBUTE THE MONEY COLLECTED BY THE BOARD, LESS
7 EXPENSES, TO THE DESIGNATED PROVIDERS, AS DIRECTED BY THE BOARD;

8 (II) PROVIDE AN ANNUAL ACCOUNTING TO THE BOARD OF ALL
9 AMOUNTS COLLECTED, EXPENSES INCURRED, AND AMOUNTS DISBURSED;
10 AND

11 (III) POST A SURETY PERFORMANCE BOND IN AN AMOUNT
12 SPECIFIED BY THE BOARD TO SECURE PERFORMANCE UNDER THE
13 REQUIREMENTS OF THIS SECTION. THE ADMINISTERING ENTITY MAY
14 RECOVER THE ACTUAL ADMINISTRATIVE COSTS INCURRED IN PERFORMING
15 ITS DUTIES UNDER THIS SECTION IN AN AMOUNT NOT TO EXCEED TEN
16 PERCENT OF THE TOTAL AMOUNT COLLECTED.

17 (c) THE BOARD SHALL COLLECT THE REQUIRED ANNUAL PAYMENTS
18 PAYABLE TO THE ADMINISTERING ENTITY FOR THE BENEFIT OF THE
19 ADMINISTERING ENTITY AND SHALL TRANSFER ALL THE PAYMENTS TO THE
20 ADMINISTERING ENTITY. ALL REQUIRED ANNUAL PAYMENTS COLLECTED
21 OR DUE TO THE BOARD FOR EACH STATE FISCAL YEAR ARE CUSTODIAL
22 FUNDS THAT ARE NOT SUBJECT TO APPROPRIATION BY THE GENERAL
23 ASSEMBLY, AND THE DISTRIBUTION OF PAYMENTS TO THE ADMINISTERING
24 ENTITY OR EXPENDITURE OF THE PAYMENTS BY THE ADMINISTERING
25 ENTITY DOES NOT CONSTITUTE STATE FISCAL YEAR SPENDING FOR
26 PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

27 (3) **Liability limitations.** NOTHING IN THIS SECTION CREATES ANY

1 LIABILITY ON THE BOARD OR THE STATE OF COLORADO FOR THE ACTIONS
2 OF THE BOARD IN MAKING GRANTS TO THE VETERINARY PEER HEALTH
3 ASSISTANCE PROGRAM, AND A CIVIL ACTION SHALL NOT BE BROUGHT OR
4 MAINTAINED AGAINST THE BOARD OR THE STATE FOR AN INJURY ALLEGED
5 TO HAVE BEEN THE RESULT OF THE ACTIVITIES OF ANY STATE-FUNDED
6 VETERINARY PEER HEALTH ASSISTANCE PROGRAM [REDACTED] OR THE RESULT OF
7 AN ACT OR OMISSION OF A VETERINARY PROFESSIONAL PARTICIPATING IN
8 OR REFERRED BY A STATE-FUNDED VETERINARY PEER HEALTH ASSISTANCE
9 [REDACTED] PROGRAM. HOWEVER, THE STATE REMAINS LIABLE UNDER THE
10 "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF TITLE 24,
11 IF AN INJURY ALLEGED TO HAVE BEEN THE RESULT OF AN ACT OR OMISSION
12 OF A VETERINARY PROFESSIONAL PARTICIPATING IN OR REFERRED TO A
13 STATE-FUNDED VETERINARY PEER HEALTH ASSISTANCE PROGRAM
14 OCCURRED WHILE THE VETERINARY PROFESSIONAL WAS PERFORMING
15 DUTIES AS AN EMPLOYEE OF THE STATE.

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

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

20 **12-315-124. Evaluations of licensees - behavioral health -**
21 **mental health - physical conditions.** (1) (a) (I) If, upon receipt of a
22 signed complaint by a complainant, the board has reasonable cause to
23 believe that a licensed veterinarian is unable to practice veterinary
24 medicine with reasonable skill and safety to patients or clients due to a
25 PHYSICAL CONDITION OR A behavioral HEALTH, mental health, or
26 substance use disorder, the board may require in writing that the licensed
27 veterinarian submit to an examination to evaluate:

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

12 **SECTION 21.** In Colorado Revised Statutes, **add** part 2 to article
13 315 of title 12 as follows:

PART 2

VETERINARY TECHNICIANS

16 **12-315-201. Additional board duties - rules - repeal.** (1) IN
17 ADDITION TO ANY OTHER DUTIES SPECIFIED IN THIS PART 2 OR SECTION
18 12-315-106, THE BOARD SHALL:

19 (a) APPROVE A NATIONALLY RECOGNIZED VETERINARY
20 TECHNICIAN CREDENTIALING ORGANIZATION FOR PURPOSES OF
21 CREDENTIALING VETERINARY TECHNICIANS IN THIS STATE. THE
22 CREDENTIALING ORGANIZATION APPROVED BY THE BOARD MUST:

23 (I) REQUIRE THE COMPLETION OF AN AMERICAN VETERINARY
24 MEDICAL ASSOCIATION-ACCREDITED PROGRAM FOR VETERINARY
25 TECHNICIANS:

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

(III) REQUIRE CONTINUING EDUCATION FOR VETERINARY
TECHNICIANS; AND

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

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

8 (b) RECEIVE COMPLAINTS, CONDUCT HEARINGS IN ACCORDANCE
9 WITH THIS PART 2 AND SECTION 12-315-113, AND TAKE DISCIPLINARY OR
10 OTHER ACTIONS PURSUANT TO THIS PART 2 AND SECTION 12-20-404.

19 **12-315-202. Registration required - rules.** EFFECTIVE JANUARY
20 1, 2024, A PERSON WHO PRACTICES AS A VETERINARY TECHNICIAN IN THIS
21 STATE MUST BE REGISTERED BY THE BOARD PURSUANT TO THIS PART 2
22 AND RULES ADOPTED BY THE BOARD FOR THE REGISTRATION OF
23 VETERINARY TECHNICIANS.

1 ALONG WITH THE REQUIRED APPLICATION FEE, IN THE MANNER
2 DETERMINED BY THE BOARD.

3 (2) TO BE QUALIFIED FOR REGISTRATION, AN APPLICANT MUST:

4 (a) BE AT LEAST EIGHTEEN YEARS OF AGE; AND

5 (b) DEMONSTRATE TO THE BOARD'S SATISFACTION THAT THE
6 APPLICANT HAS OBTAINED AND MAINTAINS IN GOOD STANDING
7 CREDENTIALING AS A VETERINARY TECHNICIAN FROM THE VETERINARY
8 TECHNICIAN CREDENTIALING ORGANIZATION.

9 (3) COMMENCING JANUARY 1, 2023, THE BOARD SHALL ISSUE A
10 REGISTRATION TO A QUALIFIED APPLICANT WHO MEETS THE
11 REQUIREMENTS AND QUALIFICATIONS OF THIS SECTION AND BOARD RULES;
12 EXCEPT THAT THE BOARD MAY DENY REGISTRATION TO AN APPLICANT
13 WHO HAS COMMITTED AN ACT THAT WOULD BE GROUNDS FOR
14 DISCIPLINARY ACTION PURSUANT TO SECTION 12-315-207.

15 (4) (a) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS SECTION,
16 A PERSON WORKING IN THE ROLE OF A VETERINARY TECHNICIAN ON AND
17 AFTER JANUARY 1, 2023, WHO DOES NOT MEET THE REQUIREMENTS SET
18 FORTH IN SUBSECTION (2)(b) OF THIS SECTION MAY FILE WITH THE BOARD
19 AN APPLICATION FOR A PROVISIONAL REGISTRATION NOT LATER THAN
20 JANUARY 1, 2024, ALONG WITH THE REQUIRED APPLICATION FEE, IN THE
21 MANNER DETERMINED BY THE BOARD.

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

25 (I) THE DATE ON WHICH THE BOARD ISSUES A REGISTRATION TO AN
26 APPLICANT PURSUANT TO SUBSECTION (3) OF THIS SECTION;

27 (II) TWENTY-EIGHT DAYS AFTER THE PERSON HAS SATISFIED THE

1 REQUIREMENTS IN SUBSECTION (4)(c)(I) OR (4)(c)(II) OF THIS SECTION
2 AND IS ELIGIBLE TO APPLY TO THE CREDENTIALING ORGANIZATION FOR
3 CREDENTIALING IN THIS STATE;

4 (III) THE DATE ON WHICH THE BOARD DENIES THE PROVISIONAL
5 REGISTRATION RENEWAL APPLICATION; OR

6 (IV) JANUARY 1, 2028.

7 (c) THE CREDENTIALING ORGANIZATION SHALL ACCEPT AS
8 SATISFACTION OF EDUCATIONAL AND TESTING REQUIREMENTS FOR
9 CREDENTIALING A PERSON HOLDING A PROVISIONAL REGISTRATION IN
10 GOOD STANDING WHO APPLIES FOR CREDENTIALING NOT LATER THAN
11 DECEMBER 31, 2027, AND WHO DEMONSTRATES TO THE CREDENTIALING
12 ORGANIZATION'S SATISFACTION THAT THE PROVISIONAL REGISTRANT HAS
13 EITHER:

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

19 (II) HAS OBTAINED AT LEAST NINE THOUSAND HOURS OF WORK
20 EXPERIENCE EQUIVALENT TO THE WORK PERFORMED BY A VETERINARY
21 TECHNICIAN.

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

24 (e) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SUBSECTION
25 (4) TO THE CONTRARY, THE BOARD MAY ESTABLISH, BY RULE, A PROCESS
26 FOR AND CONDITIONS UNDER WHICH A PROVISIONAL REGISTRANT MAY
27 APPLY FOR A HARSHIP EXTENSION TO EXTEND, TO A DATE NOT LATER

1 THAN JUNE 30, 2028:

2 (I) THE VALIDITY OF A PROVISIONAL REGISTRATION;

3 (II) THE TIME WITHIN WHICH THE PROVISIONAL REGISTRANT MAY

4 SATISFY THE EDUCATION AND TESTING REQUIREMENTS; OR

5 (III) THE DATE BY WHICH THE PROVISIONAL REGISTRANT MUST

6 APPLY TO THE CREDENTIALING ORGANIZATION.

7 (f) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE OCTOBER 1,
8 2028.

9 (5) THE BOARD SHALL MAKE AVAILABLE ON ITS WEBSITE THE
10 REQUIREMENTS FOR CREDENTIALING BY THE CREDENTIALING
11 ORGANIZATION, AS WELL AS INFORMATION CONCERNING THE VETERINARY
12 TECHNICIAN REGISTRATION BY ENDORSEMENT UNDER SECTION 12-315-205
13 AND THE OCCUPATIONAL CREDENTIAL PORTABILITY PROGRAM.

14 **12-315-204. Use of title restricted.** ON AND AFTER JANUARY 1,
15 2024, ONLY A PERSON WHO IS REGISTERED PURSUANT TO THIS PART 2 MAY
16 USE THE TITLE "VETERINARY TECHNICIAN" OR "REGISTERED VETERINARY
17 TECHNICIAN" OR THE INITIALS "VT" OR "RVT".

18 **12-315-205. Veterinary technicians - registration by
endorsement.** THE BOARD MAY ISSUE A REGISTRATION BY ENDORSEMENT
19 TO A VETERINARY TECHNICIAN APPLICANT WHO SATISFIES THE
20 REQUIREMENTS OF THE OCCUPATIONAL CREDENTIAL PORTABILITY
21 PROGRAM.

23 **12-315-206. Expiration, renewal, reinstatement, or
reactivation of a registration - inactive status - rules - definition.**
25 (1) A REGISTRATION ISSUED PURSUANT TO THIS PART 2 IS SUBJECT TO THE
26 RENEWAL, EXPIRATION, REINSTATEMENT, AND DELINQUENCY FEE
27 PROVISIONS SPECIFIED IN SECTION 12-20-202 (1) AND (2). A PERSON

1 WHOSE REGISTRATION EXPIRES IS SUBJECT TO THE PENALTIES PROVIDED
2 IN THIS PART 2 OR SECTION 12-20-202 (1).

3 (2) THE BOARD, BY RULE, MAY WAIVE A VETERINARY
4 TECHNICIAN'S RENEWAL FEE WHILE THE VETERINARY TECHNICIAN IS ON
5 ACTIVE DUTY WITH ANY BRANCH OF THE ARMED SERVICES OF THE UNITED
6 STATES. THE PERIOD DURING WHICH THE RENEWAL FEE IS WAIVED CANNOT
7 EXCEED THE LONGER OF THREE YEARS OR THE DURATION OF A NATIONAL
8 EMERGENCY.

9 (3) THE BOARD SHALL NOT RENEW, REINSTATE, OR REACTIVATE A
10 REGISTRATION ISSUED PURSUANT TO SECTION 12-315-203 (3) UNLESS THE
11 VETERINARY TECHNICIAN DEMONSTRATES TO THE BOARD'S SATISFACTION
12 THAT THE VETERINARY TECHNICIAN MAINTAINS ACTIVE CREDENTIALING
13 WITH THE CREDENTIALING ORGANIZATION. SUBJECT TO BOARD RULE, THE
14 EVIDENCE MAY BE PROVIDED BY AN ATTESTATION ON THE REGISTRATION
15 APPLICATION.

16 (4) (a) UPON NOTICE TO THE BOARD, THE BOARD SHALL TRANSFER
17 A VETERINARY TECHNICIAN'S REGISTRATION TO INACTIVE STATUS. IF A
18 PERSON WHOSE REGISTRATION IS IN INACTIVE STATUS WISHES TO RESUME
19 PRACTICING AS A VETERINARY TECHNICIAN, THE PERSON SHALL APPLY TO
20 THE BOARD IN A FORM AND MANNER APPROVED BY THE BOARD AND SHALL
21 DEMONSTRATE, TO THE SATISFACTION OF THE BOARD, THAT THE PERSON
22 HAS OBTAINED AND MAINTAINS CREDENTIALING IN GOOD STANDING BY
23 THE CREDENTIALING ORGANIZATION.

24 (b) THE BOARD MAY PURSUE DISCIPLINARY PROCEEDINGS
25 PURSUANT TO SECTION 12-315-207 AGAINST A VETERINARY TECHNICIAN
26 WHOSE REGISTRATION IS INACTIVE PURSUANT TO THIS SUBSECTION (4) FOR
27 CONDUCT THAT VIOLATES THIS PART 2 THAT THE PERSON ENGAGES IN

1 WHILE THE REGISTRATION IS IN INACTIVE STATUS.

2 **12-315-207. Discipline of a registered veterinary technician -**

3 **repeal.** (1) UPON RECEIPT OF A SIGNED COMPLAINT BY A COMPLAINANT
4 OR UPON ITS OWN MOTION, THE BOARD MAY PROCEED TO A HEARING IN
5 ACCORDANCE WITH SECTION 12-315-113. AFTER A HEARING, AND BY A
6 CONCURRENCE OF A MAJORITY OF MEMBERS, THE BOARD MAY TAKE
7 DISCIPLINARY ACTION AS AUTHORIZED IN SECTION 12-20-404 AGAINST AN
8 APPLICANT FOR A REGISTRATION OR A REGISTERED VETERINARY
9 TECHNICIAN FOR ANY OF THE FOLLOWING REASONS:

10 (a) VIOLATION OF ANY PROVISION OF THIS ARTICLE 315, AN
11 APPLICABLE PROVISION OF ARTICLE 20 OR 30 OF THIS TITLE 12, OR ANY
12 RULE OR ORDER OF THE BOARD;

13 (b) (I) FRAUD, MISREPRESENTATION, OR DECEPTION IN
14 ATTEMPTING TO OBTAIN OR IN OBTAINING A REGISTRATION OR RENEWING
15 A REGISTRATION;

16 (II) (A) FRAUD, MISREPRESENTATION, OR DECEPTION IN
17 ATTEMPTING TO OBTAIN OR IN OBTAINING A PROVISIONAL REGISTRATION
18 OR RENEWING A PROVISIONAL REGISTRATION;

19 (B) THIS SUBSECTION (1)(b)(II) IS REPEALED, EFFECTIVE OCTOBER
20 1, 2028.

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

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

25 (e) UNPROFESSIONAL OR UNETHICAL CONDUCT OR ENGAGING IN
26 PRACTICES THAT ARE IN VIOLATION OF GENERALLY ACCEPTED STANDARDS
27 FOR PRACTICE AS A VETERINARY TECHNICIAN OR PRESCRIBED BY THE

1 RULES OF THE BOARD;

2 (f) THE VETERINARY TECHNICIAN:

3 (I) HAS A REGISTRATION OR CREDENTIAL AS A VETERINARY

4 TECHNICIAN IN ANOTHER STATE REVOKED OR SUSPENDED;

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

6 (III) HAS COMMITTED ACTS IN ANOTHER STATE THAT WOULD

7 SUBJECT THE PERSON TO DISCIPLINARY ACTION IN THIS STATE;

8 (g) PRACTICING AS A VETERINARY TECHNICIAN WHILE IN INACTIVE

9 STATUS OR WHILE THE PERSON'S REGISTRATION IS EXPIRED;

10 (h) FAILING TO NOTIFY THE BOARD WITHIN THIRTY DAYS AFTER A

11 DISCIPLINARY ACTION, WHETHER IN THIS STATE OR IN ANOTHER STATE,

12 AGAINST THE PERSON'S CREDENTIAL THAT ALLOWS THE PERSON TO HOLD

13 A REGISTRATION IN THIS STATE;

14 (i) CONVICTION OF A VIOLATION OF THE "UNIFORM CONTROLLED

15 SUBSTANCES ACT OF 2013", ARTICLE 18 OF TITLE 18; THE FEDERAL

16 "CONTROLLED SUBSTANCES ACT", 21 U.S.C. SEC. 801 ET SEQ., AS

17 AMENDED; OR THE FEDERAL "CONTROLLED SUBSTANCES IMPORT AND

18 EXPORT ACT", 21 U.S.C. SEC. 951 ET SEQ., AS AMENDED;

19 (j) CONVICTION OF A CRIME IN THE COURTS OF THIS STATE OR OF

20 A CRIME IN ANY OTHER STATE, ANY TERRITORY, OR ANY OTHER COUNTRY

21 FOR AN OFFENSE RELATED TO THE CONDUCT REGULATED BY THIS PART 2,

22 REGARDLESS OF WHETHER THE SENTENCE IS DEFERRED. AS USED IN THIS

23 SUBSECTION (1)(j), "CONVICTION" INCLUDES A PLEA OF GUILTY OR A PLEA

24 OF NOLO CONTENDERE ACCEPTED BY THE COURT.

25 (k) HABITUAL OR EXCESSIVE USE OR ABUSE OF ALCOHOL

26 BEVERAGES, A HABIT-FORMING DRUG, OR A CONTROLLED SUBSTANCE AS

27 DEFINED IN SECTION 18-18-102 (5);

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

12 (o) FAILING TO RESPOND TO A COMPLAINT AGAINST THE
13 REGISTRANT;

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

17 (q) FAILING TO COMPLY WITH THE TERMS AGREED TO UNDER A
18 CONFIDENTIAL AGREEMENT ENTERED INTO UNDER SECTIONS 12-30-108
19 AND 12-315-125

20 (2) THE BOARD MAY SEND A LETTER OF ADMONITION TO A
21 REGISTRANT UNDER THE CIRCUMSTANCES SPECIFIED IN AND IN
22 ACCORDANCE WITH SECTION 12-20-404 (4)

23 (3) THE BOARD MAY SEND A CONFIDENTIAL LETTER OF CONCERN
24 TO THE REGISTRANT UNDER THE CIRCUMSTANCES SPECIFIED IN SECTION
25 12-20-404 (5)

26 (4) THE RECORD OF CONVICTION OF A FELONY IN A COURT OF
27 COMPETENT JURISDICTION IS SUFFICIENT EVIDENCE FOR THE BOARD TO

1 TAKE DISCIPLINARY ACTION AGAINST THE REGISTRANT AS DEEMED PROPER
2 BY THE BOARD. FOR THE PURPOSES OF THIS PART 2, A CONVICTION IS
3 DEEMED TO BE A CONVICTION THAT HAS BEEN UPHELD BY THE HIGHEST
4 APPELLATE COURT HAVING JURISDICTION OR A CONVICTION UPON WHICH
5 THE TIME FOR FILING AN APPEAL HAS PASSED.

6 (5) WITH RESPECT TO DENYING THE ISSUANCE OF A VETERINARY
7 TECHNICIAN REGISTRATION OR TAKING DISCIPLINARY ACTION AGAINST A
8 VETERINARY TECHNICIAN, THE BOARD MAY ACCEPT AS PRIMA FACIE
9 EVIDENCE OF GROUNDS FOR THE ACTION ANY FEDERAL OR STATE ACTION
10 TAKEN AGAINST A VETERINARY TECHNICIAN IN ANOTHER JURISDICTION IF
11 THE VIOLATION THAT PROMPTED THE DISCIPLINARY ACTION IN THE
12 JURISDICTION WOULD CONSTITUTE GROUNDS FOR DISCIPLINARY ACTION
13 UNDER THIS SECTION.

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

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

23 (8) THE BOARD MAY SUSPEND THE REGISTRATION OF A
24 VETERINARY TECHNICIAN WHO FAILS TO COMPLY WITH AN ORDER OF THE
25 BOARD ISSUED IN ACCORDANCE WITH THIS SECTION. THE BOARD MAY
26 IMPOSE THE REGISTRATION SUSPENSION UNTIL THE REGISTRANT COMPLIES
27 WITH THE BOARD'S ORDER.

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

10 (A) THE EXISTENCE AND EXTENT OF THE PHYSICAL CONDITION OR
11 THE BEHAVIORAL HEALTH, MENTAL HEALTH, OR SUBSTANCE USE
12 DISORDER; AND

13 (B) ANY IMPACT THE PHYSICAL CONDITION OR THE BEHAVIORAL
14 HEALTH, MENTAL HEALTH, OR SUBSTANCE USE DISORDER HAS ON THE
15 VETERINARY TECHNICIAN'S ABILITY TO PRACTICE AS A VETERINARY
16 TECHNICIAN WITH REASONABLE SKILL AND SAFETY TO PATIENTS AND
17 CLIENTS.

18 (II) A QUALIFIED PROFESSIONAL EMPLOYED BY OR CONTRACTING
19 WITH A VETERINARY PEER HEALTH ASSISTANCE PROGRAM THAT THE
20 BOARD HAS SELECTED AS A DESIGNATED PROVIDER UNDER SECTION
21 12-315-123 SHALL CONDUCT AN EXAMINATION REQUIRED BY SUBSECTION
22 (1)(a)(I) OF THIS SECTION.

23 (b) IF A VETERINARY TECHNICIAN FAILS TO SUBMIT TO AN
24 EXAMINATION REQUIRED UNDER SUBSECTION (1)(a) OF THIS SECTION, THE
25 BOARD MAY SUSPEND THE VETERINARY TECHNICIAN'S REGISTRATION
26 UNTIL THE VETERINARY TECHNICIAN SUBMITS TO THE EXAMINATION;
27 HOWEVER, IF THE VETERINARY TECHNICIAN DEMONSTRATES TO THE

1 SATISFACTION OF THE BOARD THAT THE FAILURE TO SUBMIT TO THE
2 EXAMINATION IS DUE TO CIRCUMSTANCES BEYOND THE VETERINARY
3 TECHNICIAN'S CONTROL, THE BOARD SHALL NOT SUSPEND THE
4 VETERINARY TECHNICIAN'S REGISTRATION.

5 (2) EVERY VETERINARY TECHNICIAN IN THIS STATE IS DEEMED, BY
6 PRACTICING AS A VETERINARY TECHNICIAN OR APPLYING FOR A RENEWAL
7 OF THE PERSON'S REGISTRATION, TO HAVE:

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

10 (b) WAIVED AN OBJECTION TO THE ADMISSIBILITY OF THE
11 EXAMINING PROFESSIONAL'S TESTIMONY OR EXAMINATION REPORTS AT A
12 BOARD HEARING ON GROUNDS THAT THE TESTIMONY OR REPORTS ARE
13 PRIVILEGED COMMUNICATIONS.

14 (3) (a) A PERSON SHALL NOT USE THE RESULTS OF AN
15 EXAMINATION ORDERED UNDER SUBSECTION (1)(a) OF THIS SECTION AS
16 EVIDENCE IN ANY PROCEEDING OTHER THAN A PROCEEDING BEFORE THE
17 BOARD.

18 (b) EXCEPT AS PROVIDED IN SUBSECTION (3)(a) OF THIS SECTION,
19 ANY EXAMINATION RESULTS, THE FACT THAT THE EXAMINATION WAS
20 ADMINISTERED, AND THE COMPLAINT THAT PROMPTED THE EXAMINATION
21 SHALL BE KEPT CONFIDENTIAL, ARE NOT PUBLIC RECORDS, AND ARE NOT
22 AVAILABLE TO THE PUBLIC.

23 **12-315-209. Duties of licensed veterinarian - direction and**
24 **supervision of veterinary technician - rules.** (1) A VETERINARY
25 TECHNICIAN IS AUTHORIZED TO PROVIDE CARE TO ANIMALS UNDER THE
26 DIRECTION AND SUPERVISION, AS DEFINED BY THE BOARD BY RULE, OF A
27 LICENSED VETERINARIAN WHO IS RESPONSIBLE FOR THE VETERINARY

1 TECHNICIAN'S PERFORMANCE. THE LICENSED VETERINARIAN DIRECTING
2 AND SUPERVISING THE VETERINARY TECHNICIAN IS RESPONSIBLE FOR THE
3 CARE OF THE ANIMAL.

4 (2) NOTHING IN THIS PART 2 PROHIBITS A PERSON WHO IS NOT A
5 VETERINARY TECHNICIAN PURSUANT TO THIS PART 2 FROM PERFORMING
6 TASKS RELATING TO ANIMAL CARE UNDER THE DIRECTION AND
7 SUPERVISION OF A LICENSED VETERINARIAN WHO IS RESPONSIBLE FOR THE
8 CARE OF THE ANIMAL.

9 **12-315-210. Unauthorized practice - penalties.** A PERSON WHO
10 PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE AS A VETERINARY
11 TECHNICIAN WITHOUT AN ACTIVE REGISTRATION ISSUED UNDER THIS PART
12 2 IS SUBJECT TO PENALTIES PURSUANT TO SECTION 12-20-407 (1)(a).

13 **SECTION 22.** In Colorado Revised Statutes, 12-280-103, **add**
14 (2.5) as follows:

15 **12-280-103. Definitions - rules.** As used in this article 280, unless
16 the context otherwise requires or the term is otherwise defined in another
17 part of this article 280:

18 (2.5) "ANIMAL SHELTER" HAS THE MEANING SET FORTH IN SECTION
19 35-80-102.

20 **SECTION 23.** In Colorado Revised Statutes, 12-280-112, **amend**
21 (1)(q) as follows:

22 **12-280-112. Fees.** (1) The director shall determine, and the board
23 shall collect, fees pursuant to section 12-20-105 for the following
24 licenses, certifications, and registrations:

25 (q) For the initial and renewal registration of ~~humane societies~~
26 ANIMAL SHELTERS and animal control agencies pursuant to section
27 12-280-119 (12);

1 **SECTION 24.** In Colorado Revised Statutes, 12-280-119, **amend**
2 (12)(a) and (12)(b) as follows:

3 **12-280-119. Registration of facilities - rules.** (12)(a) ~~A humane~~
4 ~~society~~ ~~AN ANIMAL SHELTER~~ that is duly registered with the secretary of
5 state and has been in existence and in business for at least five years in
6 this state as a nonprofit corporation, or an animal control agency that is
7 operated by a unit of government, shall register with the board.

8 (b) The board may issue a limited license to ~~a humane society~~ ~~AN~~
9 ~~ANIMAL SHELTER~~ or animal control agency to perform the activities
10 described in section 12-280-120 (17).

11 **SECTION 25.** In Colorado Revised Statutes, 12-280-120, **amend**
12 (17)(a) introductory portion and (17)(b); and **add** (17)(a)(III) as follows:

13 **12-280-120. Compounding - dispensing - sale of drugs and**
14 **devices - rules - definition.** (17)(a) ~~A humane society~~ ~~AN ANIMAL~~
15 ~~SHELTER~~ or animal control agency that is registered with the board
16 pursuant to section 12-280-119 (12) is authorized to:

17 (III) PURCHASE AND POSSESS VACCINES AND ADMINISTER
18 VACCINES IN ACCORDANCE WITH APPLICABLE LAWS.

19 (b) ~~A society~~ ~~AN ANIMAL SHELTER~~ or ANIMAL CONTROL agency
20 registered pursuant to section 12-280-119 (12) shall not permit a person
21 to administer scheduled controlled substances, sodium pentobarbital, or
22 sodium pentobarbital in combination with other noncontrolled
23 prescription drugs that are medically recognized for euthanasia unless the
24 person has demonstrated adequate knowledge of the potential hazards and
25 proper techniques to be used in administering the drug or combination of
26 drugs.

27 **SECTION 26.** In Colorado Revised Statutes, 18-13-123, **amend**

1 (4)(b) as follows:

2 **18-13-123. Unlawful administration of gamma**
3 **hydroxybutyrate (GHB) or ketamine.** (4) (b) It shall not be IS NOT a
4 violation of this section if ketamine is distributed or dispensed by or
5 under the direction of ~~such authorized~~ A person AUTHORIZED AS
6 DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION for use by ~~a humane~~
7 ~~society~~ AN ANIMAL SHELTER, AS DEFINED IN SECTION 35-80-102, that is
8 duly registered with the secretary of state and has been in existence and
9 in business for at least five years in this state as a nonprofit corporation
10 or by an animal control agency that is operated by a unit of government
11 to control animals and to euthanize injured, sick, homeless, or unwanted
12 pets or animals if the ~~humane society~~ ANIMAL SHELTER or animal control
13 agency is registered pursuant to section 12-280-119 (12).

14 **SECTION 27.** In Colorado Revised Statutes, **amend** 18-18-103
15 as follows:

16 **18-18-103. Special definition - board.** As used in parts 1 and 2
17 of this ~~article~~ ARTICLE 18, "board" means the state board of pharmacy. As
18 used in parts 3, 4, 5, and 6 of this ~~article~~ ARTICLE 18, "board" means the
19 respective licensing board responsible for licensing and registering
20 practitioners or other persons who are subject to registration pursuant to
21 part 3 of this ~~article~~ ARTICLE 18. For physicians the respective board is the
22 Colorado medical board; for podiatrists the respective board is the
23 Colorado podiatry board; for dentists the respective board is the Colorado
24 dental board; for optometrists the respective board is the state board of
25 optometry; for pharmacists and pharmacies the respective board is the
26 state board of pharmacy; for veterinarians the respective board is the state
27 board of veterinary medicine; and for manufacturers, distributors, and

1 **humane societies** ANIMAL SHELTERS, AS DEFINED IN SECTION 35-80-102,
2 the respective board is the state board of pharmacy.

3 **SECTION 28.** In Colorado Revised Statutes, 18-18-302, **amend**
4 (1) as follows:

5 **18-18-302. Registration requirements - definitions.** (1) Every
6 person who manufactures, distributes, or dispenses any controlled
7 substance within this state, or who proposes to engage in the manufacture,
8 distribution, or dispensing of any controlled substance within this state,
9 shall obtain annually or biannually, if applicable, a registration, issued by
10 the respective licensing board or the department in accordance with rules
11 adopted by such board or by the department. For purposes of this section
12 and this article 18, "registration" or "registered" means the registering of
13 manufacturers, pharmacists, pharmacies, and **humane societies** ANIMAL
14 SHELTERS, AS DEFINED IN SECTION 35-80-102, located in this state, and
15 distributors located in or doing business in this state, by the state board of
16 pharmacy, as set forth in article 280 of title 12, the licensing of physicians
17 by the Colorado medical board, as set forth in article 240 of title 12, the
18 licensing of podiatrists by the Colorado podiatry board, as set forth in
19 article 290 of title 12, the licensing of dentists by the Colorado dental
20 board, as set forth in article 220 of title 12, the licensing of optometrists
21 by the state board of optometry, as set forth in article 275 of title 12, the
22 licensing of veterinarians by the state board of veterinary medicine, as set
23 forth in article 315 of title 12, and the licensing of researchers and
24 addiction programs by the department of human services, as set forth in
25 part 2 of article 80 of title 27.

26 **SECTION 29.** 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 30. Appropriation.** (1) For the 2022-23 state fiscal
15 year, \$80,708 is appropriated to the department of regulatory agencies for
16 use by the division of professions and occupations. This appropriation is
17 from the division of professions and occupations cash fund created in
18 section 12-20-105 (3), C.R.S. To implement this act, the division may use
19 this appropriation as follows:

20 (a) \$66,088 for personal services, which amount is based on an
21 assumption that the division will require an additional 1.2 FTE; and
22 (b) \$14,620 for operating expenses.

23 **SECTION 31. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this

1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2022 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.