

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**REREVISED**

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

LLS NO. 21-0796.01 Kristen Forrestal x4217

**HOUSE BILL 21-1146**

**HOUSE SPONSORSHIP**

**Pico and Valdez D.**, Arndt, Lynch, Catlin, Hooton, Kipp, McCormick, Michaelson Jenet

**SENATE SPONSORSHIP**

**Zenzinger and Woodward**, Kirkmeyer, Moreno, Ginal, Smallwood

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**House Committees**

Public & Behavioral Health & Human Services

**Senate Committees**

Health & Human Services

SENATE  
3rd Reading Unamended  
April 16, 2021

SENATE  
2nd Reading Unamended  
April 15, 2021

HOUSE  
3rd Reading Unamended  
March 29, 2021

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**A BILL FOR AN ACT**

101     **CONCERNING THE PRACTICE OF AURICULAR ACUDETOX BY A**  
102         **PROFESSIONAL, AND, IN CONNECTION THEREWITH, CLARIFYING**  
103         **THAT IN ORDER TO PERFORM AURICULAR ACUDETOX, A PERSON**  
104         **DOES NOT NEED TO BE LICENSED, CERTIFIED, OR REGISTERED AS**  
105         **A MENTAL HEALTH PROFESSIONAL.**

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**Bill Summary**

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

**Statutory Revision Committee.** In 2020, the general assembly repealed the requirement in the mental health practice act that a

HOUSE  
2nd Reading Unamended  
March 26, 2021

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.*

professional must be licensed, registered, or certified as a mental health professional in order to practice auricular acudetox. The bill makes a conforming amendment to clarify that it is not an unlawful act for a professional to perform auricular acudetox without a license, registration, or certification as a mental health professional.

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

2           **SECTION 1.** In Colorado Revised Statutes, 12-200-108, amend  
3     (4)(a), (4)(b), and (4)(d) as follows:

4           **12-200-108.    Unlawful acts - exceptions - definition.**

5     (4)(a) Notwithstanding any provision of this article 200 to the contrary,  
6     a professional who has provided documentation that ~~he or she~~ THE  
7     PROFESSIONAL has been trained to perform auricular acudetox in  
8     compliance with subsection (4)(d) of this section may perform auricular  
9     acudetox if the auricular acudetox is performed under the professional's  
10    current scope of practice. ~~and the professional is:~~

11           ~~(I) Licensed pursuant to article 245 of this title 12; or~~

12           ~~(II) Certified as a level III addiction counselor pursuant to part 8~~  
13           ~~of article 245 of this title 12.~~

14           ~~(III) Repealed.~~

15           (b) A ~~mental health~~ professional performing auricular acudetox  
16     pursuant to this subsection (4) shall not use the title "acupuncturist" or  
17     otherwise claim to be a person qualified to perform acupuncture beyond  
18     the scope of this subsection (4).

19           (d) In order to perform auricular acudetox pursuant to this  
20     subsection (4), a ~~mental health-care~~ professional must successfully  
21     complete a training program in auricular acudetox for the treatment of  
22     substance use disorders that meets or exceeds standards of training  
23     established by the National Acupuncture Detoxification Association or

1 another organization approved by the director.

2 **SECTION 2. Safety clause.** The general assembly hereby finds,  
3 determines, and declares that this act is necessary for the immediate  
4 preservation of the public peace, health, or safety.