

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 21-0796.01 Kristen Forrestal x4217

HOUSE BILL 21-1146

HOUSE SPONSORSHIP

Pico and Valdez D., Arndt, Lynch

SENATE SPONSORSHIP

Zenzinger and Woodward, Kirkmeyer, Moreno

House Committees

Public & Behavioral Health & Human Services

Senate Committees

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.**

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 In 2020, the general assembly repealed the requirement in the mental health practice act that a

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.*

HOUSE
2nd Reading Unamended
March 26, 2021

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.

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.