

HOUSE COMMITTEE OF REFERENCE REPORT

February 28, 2024

Chair of Committee

Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB24-1171 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, after line 1 insert:
 - 2 "SECTION 1. In Colorado Revised Statutes, 12-30-111, **amend** (4)(a)(IV) and (4)(a)(V); and **add** (4)(a)(VI) as follows:
 - 4 **12-30-111. Electronic prescribing of controlled substances - exceptions - rules - definitions.** (4) As used in this section:
 - 6 (a) "Prescriber" means:
 - 7 (IV) An optometrist licensed pursuant to article 275 of this title 8 12; **or**
 - 9 (V) A podiatrist licensed pursuant to article 290 of this title 12; OR
 - 10 (VI) A NATUROPATHIC DOCTOR REGISTERED PURSUANT TO 11 ARTICLE 250 OF THIS TITLE 12.".
 - 12 Renumbering succeeding sections accordingly.
 - 13 Page 2, line 7, after "medicines" insert "AND DEVICES".
 - 14 Page 2, line 9, after "prescription" insert "AND NONPRESCRIPTION".
 - 15 Page 3, line 2, strike "UPDATES" and substitute "REVISIONS".
 - 16 Page 3, line 5, strike "(2)(a)" and substitute "(2)(a); and **add** (1)(c)(III)".
 - 17 Page 3, line 8, strike "**rules.**" and substitute "**rules - repeal.**".
 - 18 Page 3, line 10, strike "Obtaining," and substitute "SUBJECT TO THE 19 REQUIREMENTS IN SUBSECTION (1)(c)(III) OF THIS SECTION, obtaining".

1 Page 3, line 11, strike "prescribing, as specified, medicines" and
2 substitute "prescribing as specified, medicines AND DEVICES".

3 Page 3, line 13, strike "DRUGS;" and substitute "DRUGS, OTHER THAN ANY
4 SCHEDULE I OR II CONTROLLED SUBSTANCES OR DEVICES IDENTIFIED IN
5 THE FEDERAL "CONTROLLED SUBSTANCES ACT", 21 U.S.C. SEC. 801 ET
6 SEQ., AS AMENDED;".

7 Page 3, line 16, strike "18-18-207;" and substitute "18-18-207,
8 EXCLUDING ALL BENZODIAZEPINES, OPIOIDS, AND OPIOID DERIVATIVES;".

9 Page 3, line 23, strike "ALL BIOLOGICAL" and substitute "BIOLOGICAL".

10 Page 4, after line 3 insert:

11 "(H) CONTINUOUS POSITIVE AIRWAY PRESSURE DEVICES;
12 (I) CONTINUOUS GLUCOSE MONITORING DEVICES;".

13 Reletter succeeding sub-subparagraphs accordingly.

14 Page 4, after line 10 insert:

15 "(III) (A) EFFECTIVE SEPTEMBER 30, 2024, A NATUROPATHIC
16 DOCTOR SHALL NOT OBTAIN, DISPENSE, ADMINISTER, INJECT, ORDER, OR
17 PRESCRIBE ANY OF THE MEDICINES OR DEVICES LISTED IN SUBSECTION
18 (1)(c)(I) OF THIS SECTION UNLESS THE NATUROPATHIC DOCTOR SHOWS
19 PROOF TO THE DIRECTOR, IN THE FORM AND MANNER DETERMINED BY THE
20 DIRECTOR, OF COMPLETION OF TEN HOURS OF PHARMACOLOGICAL
21 CONTINUING EDUCATION PERTINENT TO OR REFLECTIVE OF THE
22 NATUROPATHIC FORMULARY.

23 (B) A NATUROPATHIC DOCTOR SHALL NOT PRESCRIBE ANY
24 MEDICINE OR DEVICE TO A PERSON UNDER THE AGE OF EIGHTEEN UNLESS
25 RECOMMENDED BY THE ADVISORY COMMITTEE AND APPROVED BY THE
26 DIRECTOR.

27 (C) SUBSECTION (1)(c)(III)(A) OF THIS SECTION IS REPEALED,
28 EFFECTIVE JULY 1, 2025.".

29 Page 4, after line 14 insert:

30 "SECTION 6. In Colorado Revised Statutes, 12-250-107, amend
31 (2)(d); and add (2)(d.5) as follows:

32 **12-250-107. Registration required - qualifications -**
33 **examination - registration by endorsement - rules.** (2) An applicant

1 for a registration to practice as a naturopathic doctor in this state shall
2 submit an application to the director in a form and manner determined by
3 the director by rule, accompanied by the fee required pursuant to section
4 12-20-105. The director shall issue a registration to practice as a
5 naturopathic doctor to an applicant upon receipt of satisfactory proof that
6 the applicant:

7 (d) Has successfully passed either a director-approved
8 examination or a comprehensive competency-based national naturopathic
9 licensing examination administered by the North American Board of
10 Naturopathic Examiners or a nationally recognized, director-approved
11 successor entity, as determined by the director by rule; ~~and~~

12 (d.5) BEGINNING SEPTEMBER 1, 2024, HAS SUCCESSFULLY PASSED
13 A PHARMACOLOGY EXAMINATION ADMINISTERED BY THE NORTH
14 AMERICAN BOARD OF NATUROPATHIC EXAMINERS OR A NATIONALLY
15 RECOGNIZED, DIRECTOR-APPROVED SUCCESSOR ENTITY, AS DETERMINED
16 BY THE DIRECTOR BY RULE; AND

17 **SECTION 7.** In Colorado Revised Statutes, 12-250-109, **amend**
18 (1)(b)(II) and (1)(b)(III); and **add** (1)(b)(IV) as follows:

19 **12-250-109. Continuing professional competency - rules.**
20 (1) (b) The director shall adopt rules establishing a continuing
21 professional competency program that includes, at a minimum, the
22 following elements:

23 (II) Development, execution, and documentation of a learning
24 plan based on the assessment; ~~and~~

25 (III) Periodic demonstration of knowledge and skills through
26 documentation of activities necessary to ensure continuing competency
27 in the profession; except that a naturopathic doctor need not retake any
28 examination required by section 12-250-107 (2)(d) for initial registration;
29 AND

30 (IV) FOR REGISTRATION RENEWAL ON OR AFTER JUNE 1, 2025, TEN
31 HOURS PER YEAR OF EDUCATION IN PHARMACOLOGY. THE DIRECTOR
32 SHALL NOT INCREASE THE TOTAL NUMBER OF HOURS OF CONTINUING
33 PROFESSIONAL COMPETENCY THAT A NATUROPATHIC DOCTOR MUST
34 COMPLETE PURSUANT TO THIS SECTION.".

35 Page 4, strike lines 15 through 23 and substitute:

36 **"SECTION 8. Act subject to petition - effective date.** This act
37 takes effect September 1, 2024; except that, if a referendum petition is
38 filed pursuant to section 1 (3) of article V of the state constitution against
39 this act or an item, section, or part of this act within the ninety-day period
40 after final adjournment of the general assembly, then the act, item,
41 section, or part will not take effect unless approved by the people at the

1 general election to be held in November 2024 and, in such case, will take
2 effect on the date of the official declaration of the vote thereon by the
3 governor.".

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