Committee on Business Affairs and Labor.

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

HB17-1165 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, add 10-16-145 as follows:

10-16-145. Periodic updates to provider directory. Each carrier shall, at least monthly, update its provider directory as posted on the carrier's website in accordance with the information contained on the websites maintained by the applicable health care prescriber board, as that term is defined in section 24-34-112, to remove a provider whose license has been revoked or suspended by the applicable health care prescriber board.

SECTION 2. In Colorado Revised Statutes, add 24-34-112 as follows:

24-34-112. Health care prescriber boards - disciplinary procedures - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(a) "Health care prescriber board" or "board" means:

(I) The Colorado podiatry board created in section 12-32-103;

(II) The Colorado dental board created in section 12-35-104;

(III) The Colorado medical board created in section
(IV) The State Board of Nursing created in Section 12-38-104;
(V) The State Board of Optometry established in Section 12-40-106; and
(VI) The State Board of Veterinary Medicine created in Section 12-64-105.
(b) "Licensee" means an individual who is licensed or otherwise regulated by a board.

(2) Except as specified in subsection (4) of this section, notwithstanding any other provision of law in this Title 24 or Title 12, each health care prescriber board shall:
   (a) Within fifteen days after receipt of a complaint, provide the complainant with a written notice providing contact information for the board and a summary of the regulatory and statutory procedures, timelines, and complainant and respondent rights that apply to the processing and resolution of complaints, including, if the complainant is the patient of the licensee who is the subject of the complaint, a notice of the patient's right to receive from the licensee a copy of his or her patient records pursuant to Sections 25-1-801 and 25-1-802;
   (b) If an investigation was initiated by a complaint and the board took public formal action regarding the alleged misconduct, provide the complainant, within thirty days after the action, with written notice of the action taken by the board;
   (c) If a complaint is still pending after six months, notify the complainant that the complaint remains pending, subject to applicable restrictions in the board's governing law; and
   (d) Update its website at least monthly to list the status of each licensee subject to the applicable board's governing law.

(3) If patient records are potentially relevant to resolution of a complaint against a licensee and the licensee is the custodian of the records, the licensee shall provide the board with the patient records within thirty days after the board requests the records.

(4) If any provision of Article 4 of this Title 24 or Article 32, 35, 36, 38, 40, or 64 of Title 12 is more protective of complainants' rights or results in a more expeditious resolution of disciplinary proceedings than a corresponding provision of this section, that provision applies rather than the corresponding provision of this section.
(5) (a) The department shall include in its annual presentation made pursuant to section 2-7-203 a performance report prepared by the division regarding changes to the boards' processes and procedures.

(b) This subsection (5) is repealed, effective September 1, 2018.

SECTION 3. Applicability. This act applies to disciplinary actions commenced on or after the effective date of this act.

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

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