

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**ENGROSSED**

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

LLS NO. 19-0373.01 Kristen Forrestal x4217

**SENATE BILL 19-145**

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**SENATE SPONSORSHIP**

**Todd,**

**HOUSE SPONSORSHIP**

**Valdez A.,**

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**Senate Committees**

Health & Human Services  
Finance  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE CONTINUATION OF THE REGULATION OF DIALYSIS**  
102              **CARE BY THE DEPARTMENT OF PUBLIC HEALTH AND**  
103              **ENVIRONMENT.**

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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/>.)*

**Sunset Process - Senate Health and Human Services Committee.** The bill continues the regulation of dialysis clinics and hemodialysis technicians by the department of public health and environment for 7 years, until 2026.

The bill deletes obsolete language in the law regulating dialysis

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.*

SENATE  
2nd Reading Unamended  
April 10, 2019

treatment clinics and hemodialysis technicians and updates references to nurses who are permitted to supervise hemodialysis technicians.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**  
3 (17)(a)(VI); and **add** (27)(a)(VII) as follows:

4 **24-34-104. General assembly review of regulatory agencies**  
5 **and functions for repeal, continuation, or reestablishment - legislative**  
6 **declaration - repeal.** (17) (a) The following agencies, functions, or both,  
7 are scheduled for repeal on September 1, 2019:

8 (VI) ~~The regulation of dialysis treatment clinics and hemodialysis~~  
9 ~~technicians in accordance with section 25-1.5-108, C.R.S.;~~

10 (27) (a) The following agencies, functions, or both, are scheduled  
11 for repeal on September 1, 2026:

12 (VIII) THE REGULATION OF DIALYSIS TREATMENT CLINICS AND  
13 HEMODIALYSIS TECHNICIANS IN ACCORDANCE WITH SECTION 25-1.5-108.

14 **SECTION 2.** In Colorado Revised Statutes, 25-1.5-108, **amend**  
15 (1)(c), (2), (3)(a), (3)(b), (3)(c) introductory portion, (3)(c)(II)(A), and (6)  
16 as follows:

17 **25-1.5-108. Regulation of dialysis treatment clinics - training**  
18 **for hemodialysis technicians - state board of health rules - definitions**  
19 **- repeal.** (1) As used in this section, unless the context otherwise  
20 requires:

21 (c) "Hemodialysis technician" means a person who is not a  
22 physician or a ~~registered~~ LICENSED PROFESSIONAL nurse and who provides  
23 dialysis care.

24 (2) ~~By January 1, 2008,~~ The state board of health shall adopt rules  
25 to establish a process to verify that persons performing the duties and

1 functions of a hemodialysis technician at or for a dialysis treatment clinic  
2 have been credentialed by a national credentialing program. The  
3 verification process shall be part of the ~~department of public health and~~  
4 ~~environment's~~ DEPARTMENT'S licensing of dialysis treatment clinics and  
5 part of each routine survey of licensed dialysis clinics conducted by the  
6 department. As part of the rules adopted pursuant to this section, the state  
7 board shall establish fees consistent with section 25-3-105 to be assessed  
8 by the department against dialysis treatment clinics to cover the  
9 department's administrative costs in implementing this section.

10 (3) (a) ~~On and after January 1, 2009,~~ A person shall not act as, or  
11 perform the duties and functions of, a hemodialysis technician unless the  
12 person has been credentialed by a national credentialing program and is  
13 under the supervision of a licensed physician or licensed professional  
14 nurse experienced or trained in dialysis treatment.

15 (b) ~~On and after January 1, 2009,~~ A dialysis treatment clinic  
16 licensed by the department shall not allow a person to perform the duties  
17 and functions of a hemodialysis technician at or for the dialysis treatment  
18 clinic if the person has not been credentialed by a national credentialing  
19 program.

20 (c) Nothing in this subsection (3) ~~shall prohibit~~ PROHIBITS:

21 (II) A person participating in a hemodialysis technician training  
22 program from performing the duties and functions of a hemodialysis  
23 technician if:

24 (A) The person is under the direct supervision of a physician, or  
25 a ~~registered~~ LICENSED PROFESSIONAL nurse experienced or trained in  
26 dialysis treatment, who is on the premises and available for prompt  
27 consultation or treatment; and

1           (6) This section is repealed, effective ~~September 1, 2019~~. Prior to  
2 ~~this repeal, the department of regulatory agencies shall review the~~  
3 ~~functions of the state board of health and the department regarding~~  
4 ~~hemodialysis technicians as provided in section 24-34-104, C.R.S.~~  
5           SEPTEMBER 1, 2026. BEFORE THE REPEAL, THIS SECTION IS SCHEDULED  
6           FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

7           **SECTION 3. Act subject to petition - effective date.** This act  
8           takes effect at 12:01 a.m. on the day following the expiration of the  
9           ninety-day period after final adjournment of the general assembly (August  
10          2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
11          referendum petition is filed pursuant to section 1 (3) of article V of the  
12          state constitution against this act or an item, section, or part of this act  
13          within such period, then the act, item, section, or part will not take effect  
14          unless approved by the people at the general election to be held in  
15          November 2020 and, in such case, will take effect on the date of the  
16          official declaration of the vote thereon by the governor.