

**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. 21-0670.01 Richard Sweetman x4333

**HOUSE BILL 21-1190**

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**HOUSE SPONSORSHIP**

**Rich and Esgar,**

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**House Committees**  
Health & Insurance

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE DEFINITION OF "TELEMEDICINE" FOR THE PURPOSES**  
102 **OF THE "COLORADO MEDICAL PRACTICE ACT".**

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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>.)*

For the purposes of the "Colorado Medical Practice Act", the bill amends the definition of "telemedicine" to state that the term means the delivery of medical services through HIPAA-compliant telecommunications systems, including information, electronic, and communication technologies, remote monitoring technologies, and store-and-forward transfers, to facilitate the assessment, diagnosis,

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  
Amended 2nd Reading  
March 26, 2021

consultation, or treatment of a patient while the patient is located at an originating site and the physician, anesthesiologist assistant, or physician assistant is located at a distant site.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-240-104, **amend**  
3 (6); and **add** (5.7), (5.8), and (5.9) as follows:

4 **12-240-104. Definitions.** As used in this article 240, unless the  
5 context otherwise requires:

6 (5.7) "DISTANT SITE" HAS THE MEANING SET FORTH IN SECTION  
7 10-16-123 (4)(a).

8 (5.8) "ORIGINATING SITE" HAS THE MEANING SET FORTH IN  
9 SECTION 10-16-123 (4)(b).

10 (5.9) "STORE-AND-FORWARD TRANSFER" HAS THE MEANING SET  
11 FORTH IN SECTION 10-16-123 (4)(c).

12 (6) "Telemedicine" means the delivery of medical services ~~and~~  
13 ~~any~~ THROUGH TECHNOLOGIES THAT ARE USED IN A MANNER THAT IS  
14 COMPLIANT WITH THE FEDERAL "HEALTH INSURANCE PORTABILITY AND  
15 ACCOUNTABILITY ACT OF 1996", PUB.L. 104-91, AS AMENDED, INCLUDING  
16 INFORMATION, ELECTRONIC, AND COMMUNICATION TECHNOLOGIES,  
17 REMOTE MONITORING TECHNOLOGIES, AND STORE-AND-FORWARD  
18 TRANSFERS, TO FACILITATE THE ASSESSMENT, diagnosis, consultation, or  
19 treatment ~~using interactive audio, interactive video, or interactive data~~  
20 ~~communication~~ OF A PATIENT WHILE THE PATIENT IS LOCATED AT AN  
21 ORIGINATING SITE AND THE PERSON WHO PROVIDES THE SERVICES IS  
22 LOCATED AT A DISTANT SITE.

23 **SECTION 2.** In Colorado Revised Statutes, 12-240-107, **amend**  
24 (1)(g) as follows:

1           **12-240-107. Practice of medicine defined - exemptions from**  
2 **licensing requirements - unauthorized practice by physician**  
3 **assistants and anesthesiologist assistants - penalties - definitions -**  
4 **rules - repeal.** (1) For the purpose of this article 240, "practice of  
5 medicine" means:

6           (g) The delivery of telemedicine. Nothing in this subsection (1)(g)  
7 authorizes physicians to deliver services outside their scope of practice or  
8 limits the delivery of health services by other licensed professionals,  
9 within the professional's scope of practice, using advanced technology,  
10 including, but not limited to, ~~interactive audio, interactive video, or~~  
11 ~~interactive data communication~~ TELEHEALTH, AS DEFINED IN SECTION  
12 10-16-123 (4)(e).

13           **SECTION 3.** In Colorado Revised Statutes, 25.5-4-103, **add**  
14 **(25.7)** as follows:

15           **25.5-4-103. Definitions.** As used in this article 4 and articles 5  
16 and 6 of this title 25.5, unless the context otherwise requires:

17           (25.7) "TELEMEDICINE" MEANS THE DELIVERY OF MEDICAL  
18 SERVICES AND ANY DIAGNOSIS, CONSULTATION, OR TREATMENT USING  
19 INTERACTIVE AUDIO, INTERACTIVE VIDEO, OR INTERACTIVE DATA  
20 COMMUNICATION.

21           **SECTION 4.** In Colorado Revised Statutes, 25.5-5-414, **repeal**  
22 **(2)** as follows:

23           **25.5-5-414. Telemedicine - legislative intent.** (2) ~~For the~~  
24 ~~purposes of this section, "telemedicine" shall have the same meaning as~~  
25 ~~set forth in section 12-240-104 (6).~~

26           **SECTION 5. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.