

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

INTRODUCED

LLS NO. 23-0937.01 Christy Chase x2008

HOUSE BILL 23-1256

HOUSE SPONSORSHIP

Michaelson Jenet and English,

SENATE SPONSORSHIP

Cutter,

House Committees

Public & Behavioral Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A HEALTH-CARE PROFESSIONAL**
102 **AUTHORIZED TO PRACTICE IN COLORADO TO RENDER CARE**
103 **THROUGH TELEHEALTH TO INDIVIDUALS LOCATED IN ANOTHER**
104 **STATE.**

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>.)

The bill specifies that a Colorado-licensed, -certified, or -registered health-care professional may render care via telehealth to patients or clients located in another state if the professional is authorized

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

to practice the profession in the other state pursuant to an interstate compact or other grant of authority from the other state.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 12-30-120 as
3 follows:

4 **12-30-120. Health-care professional authority to practice**
5 **telehealth in other states - interstate compacts - authorization from**
6 **other state - definitions.** (1) A LICENSEE, CERTIFICATE HOLDER, OR
7 REGISTRANT MAY PROVIDE HEALTH CARE THROUGH TELEHEALTH TO A
8 PATIENT OR CLIENT WHO IS LOCATED IN ANOTHER STATE IF THE LICENSEE,
9 CERTIFICATE HOLDER, OR REGISTRANT IS:

10 (a) GRANTED AUTHORITY PURSUANT TO AN INTERSTATE COMPACT
11 TO PRACTICE THE PARTICULAR HEALTH-CARE PROFESSION IN THE STATE
12 WHERE THE PATIENT OR CLIENT IS LOCATED AT THE TIME THE HEALTH
13 CARE IS RENDERED; OR

14 (b) OTHERWISE GRANTED AUTHORITY BY THE STATE WHERE THE
15 PATIENT OR CLIENT IS LOCATED AT THE TIME THE HEALTH CARE IS
16 RENDERED TO PRACTICE THE PARTICULAR HEALTH-CARE PROFESSION IN
17 THAT STATE.

18 (2) A LICENSEE, CERTIFICATE HOLDER, OR REGISTRANT WHO
19 PROVIDES HEALTH CARE THROUGH TELEHEALTH TO A PATIENT OR CLIENT
20 WHO IS LOCATED IN ANOTHER STATE IS SUBJECT TO THE JURISDICTION AND
21 LAWS OF THE STATE WHERE THE PATIENT OR CLIENT RECEIVING THE
22 HEALTH CARE IS LOCATED, AND NOTHING IN THIS SECTION RELIEVES A
23 LICENSEE, CERTIFICATE HOLDER, OR REGISTRANT FROM THE
24 REQUIREMENTS IMPOSED BY THAT STATE.

25 (3) AS USED IN THIS SECTION:

1 (a) (I) "INTERSTATE COMPACT" MEANS AN AGREEMENT BETWEEN
2 COLORADO AND OTHER STATES TO ALLOW, IF THE CONDITIONS OF THE
3 AGREEMENT ARE OTHERWISE SATISFIED:

4 (A) AN INDIVIDUAL LICENSED, CERTIFIED, OR REGISTERED IN THIS
5 STATE TO PRACTICE A PARTICULAR HEALTH-CARE PROFESSION TO
6 PRACTICE THAT PROFESSION IN OTHER STATES THAT ARE PARTIES TO THE
7 AGREEMENT; AND

8 (B) AN INDIVIDUAL LICENSED, CERTIFIED, OR REGISTERED TO
9 PRACTICE A PARTICULAR HEALTH-CARE PROFESSION IN A STATE THAT IS A
10 PARTY TO THE AGREEMENT TO PRACTICE THAT PROFESSION IN COLORADO.

11 (II) "INTERSTATE COMPACT" INCLUDES A COMPACT RATIFIED BY
12 THE GENERAL ASSEMBLY AND ENTERED INTO BY THE GOVERNOR
13 PURSUANT TO ARTICLE 60 OF TITLE 24.

14 (b) "TELEHEALTH" HAS THE SAME MEANING AS SET FORTH IN
15 SECTION 10-16-123 (4)(e) AND INCLUDES TELEMEDICINE, AS DEFINED IN
16 SECTION 12-240-104 (6).

17 **SECTION 2. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2024 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.