

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0314.01 Yelana Love x2295

SENATE BILL 23-155

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SENATE SPONSORSHIP

Zenzinger, Fields

HOUSE SPONSORSHIP

Willford and Young,

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Senate Committees  
Health & Human Services

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE REGULATION OF NURSING  
102 HOME ADMINISTRATORS, AND, IN CONNECTION THEREWITH,  
103 IMPLEMENTING THE RECOMMENDATIONS IN THE 2022 SUNSET  
104 REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

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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 implements the recommendations of the department of regulatory agencies in its 2022 sunset report by:

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.*

- Extending the regulation of nursing home administrators 5 years, to September 2028;
- Authorizing the board of examiners of nursing home administrators to discipline a licensee for failing to respond to a complaint; and
- Removing the requirement that a letter of admonition to a licensee be sent through certified mail.

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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 (24)(a)(VIII); and **add** (29)(a)(XVII) as follows:

4 **24-34-104. General assembly review of regulatory agencies**  
5 **and functions for repeal, continuation, or reestablishment - legislative**  
6 **declaration - repeal.** (24) (a) The following agencies, functions, or both,  
7 are scheduled for repeal on September 1, 2023:

8 ~~(VIII) The regulation of nursing home administrators by the board~~  
9 ~~of examiners of nursing home administrators in accordance with article~~  
10 ~~265 of title 12;~~

11 (29) (a) The following agencies, functions, or both, are scheduled  
12 for repeal on September 1, 2028:

13 (XVII) THE REGULATION OF NURSING HOME ADMINISTRATORS BY  
14 THE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS IN  
15 ACCORDANCE WITH ARTICLE 265 OF TITLE 12.

16 **SECTION 2.** In Colorado Revised Statutes, **amend** 12-265-123  
17 as follows:

18 **12-265-123. Repeal of article - review of functions.** This article  
19 265 is repealed, effective ~~September 1, 2023~~ SEPTEMBER 1, 2028. Before  
20 the repeal, the licensing functions of the board are scheduled for review  
21 in accordance with section 24-34-104.

22 **SECTION 3.** In Colorado Revised Statutes, 12-265-113, **amend**

1 (1)(n), (1)(o), and (3); and **add** (1)(p) as follows:

2 **12-265-113. Grounds for discipline.** (1) The board has the  
3 power to take disciplinary or other action as specified in sections  
4 12-20-404 and 12-265-107 (1)(d), upon proof that the person:

5 (n) Has practiced as a nursing home administrator during a period  
6 when the person's license has been suspended or revoked; ~~or~~

7 (o) Has sold, fraudulently obtained, or furnished a license to  
8 practice as a nursing home administrator, or has aided or abetted therein;

9 OR

10 (p) HAS FAILED TO RESPOND IN AN HONEST, MATERIALLY  
11 RESPONSIVE, AND TIMELY MANNER TO A COMPLAINT FILED AGAINST THE  
12 PERSON.

13 (3) The board may send a letter of admonition ~~by certified mail~~ to  
14 a licensee under the circumstances specified in and in accordance with  
15 section 12-20-404 (4).

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