

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

ENGROSSED

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

LLS NO. 23-0314.01 Yelana Love x2295

SENATE BILL 23-155

SENATE SPONSORSHIP

Zenzinger, Fields

HOUSE SPONSORSHIP

Willford and Young,

Senate Committees

Health & Human Services
Appropriations

House Committees

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.**

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.

SENATE
2nd Reading Unamended
March 10, 2023

- 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.