

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

REENGROSSED

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

LLS NO. 23-0314.01 Yelana Love x2295

SENATE BILL 23-155

SENATE SPONSORSHIP

Zenzinger, Fields, Buckner, Ginal, Lundeen, Moreno, Smallwood

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
3rd Reading Unamended
March 13, 2023

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.