

## CHAPTER 82

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**PROFESSIONS AND OCCUPATIONS**

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**HOUSE BILL 15-1067**

BY REPRESENTATIVE(S) Kraft-Tharp and Landgraf, Becker K., Buckner, Ginal, Hamner, Lontine, Melton, Mitsch Bush, Pabon, Rosenthal, Ryden, Young, Pettersen, Primavera, Hullinghorst;  
also SENATOR(S) Newell, Guzman, Heath, Kefalas, Kerr, Merrifield, Steadman, Todd.

**AN ACT****CONCERNING THE ESTABLISHMENT OF A CONTINUING PROFESSIONAL DEVELOPMENT PROGRAM FOR LICENSED PSYCHOLOGISTS.**

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

**SECTION 1. Legislative declaration.** The general assembly finds and declares that although there may be a shortage of mental health professionals in this state to serve the needs of the people who seek their help, it is important that licensed psychologists are involved in professional development activities that enhance their knowledge and skills in order to best meet the needs of Colorado. Therefore, it is the intent of the general assembly to require continuing professional development and education for licensed psychologists. In doing so, the general assembly encourages each psychologist to consider the current mental health needs or issues facing Colorado at the time when he or she is working on his or her professional development and education.

**SECTION 2.** In Colorado Revised Statutes, **add** 12-43-307 as follows:

**12-43-307. Continuing professional development - rules.** (1) IN ACCORDANCE WITH SECTION 12-43-304, THE BOARD ISSUES A LICENSE TO PRACTICE AS A PSYCHOLOGIST BASED ON WHETHER THE APPLICANT SATISFIES MINIMUM EDUCATIONAL AND EXPERIENCE REQUIREMENTS THAT DEMONSTRATE COMPETENCY TO PRACTICE AS A PSYCHOLOGIST. AFTER A LICENSE IS ISSUED TO AN APPLICANT, THE LICENSED PSYCHOLOGIST SHALL COMPLETE CONTINUING PROFESSIONAL DEVELOPMENT AND EDUCATIONAL HOURS TO MAINTAIN HIS OR HER LICENSE AS A PSYCHOLOGIST.

(2) THE BOARD SHALL ADOPT RULES ESTABLISHING A CONTINUING PROFESSIONAL

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

DEVELOPMENT PROGRAM THAT INCLUDES, AT A MINIMUM, THE FOLLOWING ELEMENTS:

(a) THE DEVELOPMENT, EXECUTION, AND DOCUMENTATION OF A LEARNING PLAN;

(b) A REQUIREMENT THAT EVERY TWO YEARS A LICENSED PSYCHOLOGIST COMPLETE AT LEAST FORTY HOURS OF CONTINUING PROFESSIONAL DEVELOPMENT HOURS THAT INCLUDE A COMBINATION OF THE FOLLOWING ACTIVITIES CHOSEN BY THE LICENSED PSYCHOLOGIST:

(I) ATTENDING WORKSHOPS; SEMINARS; SYMPOSIA; COLLOQUIA; INVITED SPEAKER SESSIONS; POSTDOCTORAL INSTITUTES; OR SCIENTIFIC OR PROFESSIONAL PROGRAMS OFFERED AT MEETINGS OF LOCAL, STATE, REGIONAL, NATIONAL, OR INTERNATIONAL PROFESSIONAL OR SCIENTIFIC ORGANIZATIONS. AT LEAST THIRTY-FIVE HOURS OF REQUIRED CONTINUING PROFESSIONAL DEVELOPMENT HOURS COMPLETED PURSUANT TO THIS SUBPARAGRAPH (I), WHICH MAY INCLUDE ON-LINE CONTINUING EDUCATION, MUST BE CONTINUING EDUCATION UNITS OR CONTINUING MEDICAL EDUCATION CREDIT APPROVED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION, STATE MEDICAL ASSOCIATION, OR ACCREDITATION COUNCIL FOR CONTINUING MEDICAL EDUCATION, OR A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION. A LICENSED PSYCHOLOGIST MUST RETAIN A CERTIFICATE OF ATTENDANCE OR A TRANSCRIPT AS DOCUMENTATION OF COMPLETION.

(II) SATISFACTORILY COMPLETING AN ETHICS COURSE OFFERED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION, STATE MEDICAL ASSOCIATION, OR ACCREDITATION COUNCIL FOR CONTINUING MEDICAL EDUCATION, OR A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION. A LICENSED PSYCHOLOGIST MUST RETAIN A CERTIFICATE OF ATTENDANCE OR A TRANSCRIPT AS DOCUMENTATION OF COMPLETION. ONE CONTINUING EDUCATION HOUR IS EQUIVALENT TO ONE PROFESSIONAL DEVELOPMENT HOUR.

(III) DEVELOPING AND TEACHING AN ACADEMIC COURSE IN PSYCHOLOGY AT AN INSTITUTION ACCREDITED BY A REGIONAL ACCREDITING ASSOCIATION. CREDIT IS GIVEN FOR THE FIRST TIME THE LICENSED PSYCHOLOGIST TEACHES THE COURSE, AS DOCUMENTED BY THE DEAN OR HEAD OF THE DEPARTMENT OF THE INSTITUTION IN WHICH THE COURSE WAS TAUGHT, AND IS BASED ON THE NUMBER OF CREDIT HOURS, UNITS, OR HOURS ASSIGNED BY THE INSTITUTION. ONE ACADEMIC CREDIT, UNIT, OR HOUR IS EQUIVALENT TO TEN CONTINUING PROFESSIONAL DEVELOPMENT HOURS.

(IV) SATISFACTORILY COMPLETING A GRADUATE COURSE IN PSYCHOLOGY OFFERED BY AN INSTITUTION ACCREDITED BY A REGIONAL ACCREDITING ASSOCIATION AND DOCUMENTED BY AN ACADEMIC TRANSCRIPT SHOWING THE GRADUATE CREDITS EARNED. ONE ACADEMIC CREDIT, UNIT, OR HOUR IS EQUIVALENT TO TEN CONTINUING PROFESSIONAL DEVELOPMENT HOURS.

(V) DEVELOPING AND PRESENTING FOR THE FIRST TIME A WORKSHOP, SEMINAR, SYMPOSIUM, COLLOQUIUM, INVITED SPEAKING SESSION, OR MEETING OF A PROFESSIONAL OR SCIENTIFIC ORGANIZATION OR A POSTDOCTORAL INSTITUTE, DOCUMENTED BY A PRINTED PROGRAM OR AGENDA. ONE HOUR OF WORKSHOP, SYMPOSIUM, OR COLLOQUIAL PRESENTATION IS EQUIVALENT TO THREE CONTINUING PROFESSIONAL DEVELOPMENT HOURS.

(VI) AUTHORIZING, EDITING, OR REVIEWING A PSYCHOLOGY PUBLICATION IN THE FIRST YEAR OF THE PUBLICATION OR DISTRIBUTION, DOCUMENTED BY A PUBLICATION COVER SHEET, MASTHEAD, OR TABLE OF CONTENTS. THE MAXIMUM HOURS MAY BE EARNED AS FOLLOWS:

(A) AUTHORIZING A PROFESSIONAL OR SCIENTIFIC BOOK IS EQUIVALENT TO FORTY HOURS OF CONTINUING PROFESSIONAL DEVELOPMENT HOURS;

(B) AUTHORIZING A PROFESSIONAL OR SCIENTIFIC BOOK CHAPTER OR JOURNAL ARTICLE IS EQUIVALENT TO TWENTY HOURS OF CONTINUING PROFESSIONAL DEVELOPMENT HOURS;

(C) EDITING A PROFESSIONAL OR SCIENTIFIC BOOK OR JOURNAL IS EQUIVALENT TO THIRTY HOURS OF CONTINUING PROFESSIONAL DEVELOPMENT HOURS;

(D) REVIEWING A JOURNAL ARTICLE IS EQUIVALENT TO ONE HOUR OF CONTINUING PROFESSIONAL DEVELOPMENT PER MANUSCRIPT;

(c) A REQUIREMENT THAT EACH LICENSED PSYCHOLOGIST MAINTAIN ALL DOCUMENTATION FOR HIS OR HER CONTINUING PROFESSIONAL DEVELOPMENT HOURS.

(3) A LICENSED PSYCHOLOGIST IS NOT REQUIRED TO RECEIVE PREAPPROVAL FROM THE BOARD OR OTHER ENTITY PRIOR TO THE COMPLETION OF A CONTINUING PROFESSIONAL DEVELOPMENT ACTIVITY IN ORDER TO RECEIVE CREDIT FOR THE CONTINUING PROFESSIONAL DEVELOPMENT HOURS.

(4) THE BOARD MAY AUDIT UP TO FIVE PERCENT OF LICENSED PSYCHOLOGISTS EACH TWO-YEAR CYCLE TO DETERMINE COMPLIANCE WITH CONTINUING PROFESSIONAL DEVELOPMENT REQUIREMENTS.

(5) (a) RECORDS OF ASSESSMENTS OR OTHER DOCUMENTATION DEVELOPED OR SUBMITTED IN CONNECTION WITH THE CONTINUING PROFESSIONAL DEVELOPMENT PROGRAM ARE CONFIDENTIAL AND NOT SUBJECT TO INSPECTION BY THE PUBLIC OR DISCOVERY IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED PSYCHOLOGIST. THE RECORDS OR DOCUMENTS SHALL BE USED ONLY BY THE BOARD FOR THE PURPOSE OF DETERMINING WHETHER A LICENSED PSYCHOLOGIST IS MAINTAINING CONTINUING PROFESSIONAL DEVELOPMENT NECESSARY TO ENGAGE IN THE PROFESSION.

(b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS SUBSECTION (5), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED PSYCHOLOGIST.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a referendum petition is filed pursuant to section 1 (3)

of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 8, 2015