

FINAL PROPOSAL
Health Care Prescriber Boards

1 **12-30-103. [Formerly 24-34-112] Health care prescriber boards - disciplinary**
2 **procedures - definitions.** (1) As used in this section, unless the context otherwise requires:

3 (a) "Health care prescriber board" or "board" means:

4 (I) The Colorado podiatry board created in section ~~12-32-103~~ **12-290-___**;

5 (II) The Colorado dental board created in section ~~12-35-104~~ **12-220-___**;

6 (III) The Colorado medical board created in section ~~12-36-103~~ **12-240-___**;

7 (IV) The state board of nursing created in section ~~12-38-104~~ **12-255-___**;

8 (V) The state board of optometry established in section ~~12-40-106~~ **12-275-___**; and

9 (VI) The state board of veterinary medicine created in section ~~12-64-105~~
10 **12-315-___**.

11 (b) "Licensee" means an individual who is licensed or otherwise regulated by a
12 board.

13 (2) Except as specified in subsection (4) of this section, notwithstanding any other
14 provision of law in ~~this~~ title 24 or THIS title 12, each health care prescriber board shall:

15 (a) Within fifteen days after receipt of a complaint, provide the complainant with a
16 written notice providing contact information for the board and a summary of the regulatory
17 and statutory procedures, timelines, and complainant and respondent rights that apply to the
18 processing and resolution of complaints, including, if the complainant is the patient of the
19 licensee who is the subject of the complaint, a notice of the patient's right to receive from
20 the licensee a copy of ~~his or her~~ THE COMPLAINANT'S patient records pursuant to sections
21 25-1-801 and 25-1-802;

22 (b) If an investigation was initiated by a complaint and the board took public formal
23 action regarding the alleged misconduct, provide the complainant, within thirty days after
24 the action, with written notice of the action taken by the board;

25 (c) If a complaint is still pending after six months, notify the complainant that the
26 complaint remains pending, subject to applicable restrictions in the board's governing law;
27 and

28 (d) Update its website within thirty days after suspending or revoking a license to
29 separately list each licensee subject to the suspension or revocation.

30 (3) If patient records are potentially relevant to resolution of a complaint against a
31 licensee and the licensee is the custodian of the records, the licensee shall provide the board
32 with the patient records within thirty days after the board requests the records.

33 (4) If any provision of article 4 of ~~this~~ title 24 or article ~~32, 35, 36, 38, 40, or 64~~ **220,**
34 **240, 255, 275, 290, OR 315** of THIS title 12 is more protective of complainants' rights or
35 results in a more expeditious resolution of disciplinary proceedings than a corresponding
36 provision of this section, that provision applies rather than the corresponding provision of
37 this section.

38 ~~(5) Repealed.~~