

CHAPTER 239

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 26-1344

BY REPRESENTATIVE(S) Stewart K. and Bradfield, Brown, Duran, Rutinel, Rydin;
also SENATOR(S) Lindstedt, Kolker, Coleman.

AN ACT

CONCERNING THE CONTINUATION OF THE COLORADO PODIATRY BOARD, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATION IN THE 2025 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES TO REQUIRE PODIATRISTS TO DEVELOP A WRITTEN PLAN TO ENSURE THE SECURITY OF PATIENT MEDICAL RECORDS.

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

SECTION 1. In Colorado Revised Statutes, 12-290-105, **amend** (4) as follows:

12-290-105. Appointment of members of podiatry board - terms - review of functions - repeal of article.

(4) This article 290 is repealed, effective September 1, ~~2026~~ 2035. Before the repeal, the functions of the board are scheduled for review in accordance with section 24-34-104.

SECTION 2. In Colorado Revised Statutes, **add** 12-290-125 as follows:

12-290-125. Protection of medical records by podiatrists - verification of compliance - noncompliance grounds for discipline - rules.

(1) EACH LICENSED PODIATRIST SHALL DEVELOP A WRITTEN PLAN TO ENSURE THE SECURITY OF PATIENT MEDICAL RECORDS. THE PLAN MUST ADDRESS AT LEAST THE FOLLOWING:

(a) THE STORAGE AND PROPER DISPOSAL, IF APPROPRIATE, OF PATIENT MEDICAL RECORDS;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(b) THE DISPOSITION OF PATIENT MEDICAL RECORDS IN THE EVENT THE LICENSEE DIES, RETIRES, OR OTHERWISE CEASES TO PRACTICE OR PROVIDE MEDICAL CARE TO PATIENTS; AND

(c) THE METHOD BY WHICH A PATIENT MAY ACCESS OR OBTAIN THE PATIENT'S MEDICAL RECORDS PROMPTLY IF ANY OF THE EVENTS DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION OCCUR.

(2) UPON INITIAL LICENSURE UNDER THIS ARTICLE 290 AND UPON RENEWAL OF A LICENSE, AN APPLICANT OR LICENSEE, AS APPLICABLE, SHALL ATTEST TO THE BOARD THAT THE APPLICANT OR LICENSEE HAS DEVELOPED A PLAN IN COMPLIANCE WITH THIS SECTION.

(3) A LICENSEE SHALL INFORM EACH PATIENT, IN WRITING, OF THE METHOD BY WHICH THE PATIENT MAY ACCESS OR OBTAIN THE PATIENT'S MEDICAL RECORDS IF AN EVENT DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION OCCURS.

(4) A LICENSEE WHO FAILS TO COMPLY WITH THIS SECTION IS SUBJECT TO DISCIPLINE IN ACCORDANCE WITH SECTION 12-290-113.

(5) THE BOARD MAY ADOPT RULES AS NECESSARY TO IMPLEMENT THIS SECTION.

SECTION 3. In Colorado Revised Statutes, 24-34-104, **repeal** (27)(a)(VIII); and **add** (36)(a)(VII) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal.

(27) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2026:

(VIII) ~~The Colorado podiatry board created in article 290 of title 12;~~

(36) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2035:

(VII) THE COLORADO PODIATRY BOARD CREATED IN ARTICLE 290 OF TITLE 12.

SECTION 4. 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 12, 2026, if adjournment sine die is on May 13, 2026); 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 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 29, 2026