

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 1, 2019

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB19-193 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 4, line 16, strike "(1)(a)" and substitute "(1)(a);
2 and **add** (1)(nn)".

3 Page 4, after line 25 insert:

4 "(nn) (I) ANY SUSPENSION OF A LICENSE PURSUANT TO SECTION
5 24-4-104 (4) AS A RESULT OF A FORMAL CHARGE FOR A CRIME PURSUANT
6 TO TITLE 18, OR THAT UNDER FEDERAL LAW OR THE LAW OF ANOTHER
7 STATE WOULD CONSTITUTE A CRIME UNDER TITLE 18, WHERE THE BOARD
8 FINDS THE CRIME IS A CONTINUING THREAT TO PATIENT SAFETY.

9 (II) A SUSPENSION ISSUED PURSUANT TO SUBSECTION (1)(nn)(I) OF
10 THIS SECTION MAY BE CONTINUED UNTIL DISMISSAL, ACQUITTAL, OR
11 CONVICTION OF THE CHARGES. A HEARING ON THE SUSPENSION MAY NOT
12 OCCUR UNTIL AFTER THE DISMISSAL, ACQUITTAL, OR CONVICTION OF SUCH
13 CHARGE UNLESS THE LICENSEE OPTS TO PROCEED TO A HEARING
14 REGARDING THE SUSPENSION."

15 Page 7, line 23, strike "(1)(a)" and substitute "(1)(a); and **add as**
16 **relocated by House Bill 19-1172** (1)(ee)".

17 Page 8, after line 5 insert:

18 "(ee) (I) ANY SUSPENSION OF A LICENSE PURSUANT TO SECTION
19 24-4-104 (4) AS A RESULT OF A FORMAL CHARGE FOR A CRIME PURSUANT
20 TO TITLE 18, OR THAT UNDER FEDERAL LAW OR THE LAW OF ANOTHER

1 STATE WOULD CONSTITUTE A CRIME UNDER TITLE 18, WHERE THE BOARD
2 FINDS THE CRIME IS A CONTINUING THREAT TO PATIENT SAFETY.

3 (II) A SUSPENSION ISSUED PURSUANT TO SUBSECTION (1)(ee)(I) OF
4 THIS SECTION MAY BE CONTINUED UNTIL DISMISSAL, ACQUITTAL, OR
5 CONVICTION OF THE CHARGES. A HEARING ON THE SUSPENSION MAY NOT
6 OCCUR UNTIL AFTER THE DISMISSAL, ACQUITTAL, OR CONVICTION OF SUCH
7 CHARGE UNLESS THE LICENSEE OPTS TO PROCEED TO A HEARING
8 REGARDING THE SUSPENSION."

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