Committee on Public Health Care & Human Services.

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

HB20-1206 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 8, after line 8 insert:

"SECTION 9. In Colorado Revised Statutes, 12-245-214, amend (2) as follows:

12-245-214. Denial of license, registration, or certification - reinstatement. (2) If a board determines that an applicant does not possess the applicable qualifications required by this article 245 or, for a licensed clinical social worker, licensed social worker, licensed marriage and family therapist, licensed professional counselor, licensed addiction counselor, or level II or III certified addiction counselor, is unable to demonstrate his or her continued professional competence as required by section 12-245-410, 12-245-506, 12-245-606, or 12-245-806, respectively, the board may deny the applicant a license, registration, or certification or deny the reinstatement of a license, registration, or certification. If the application is denied, the board shall provide the applicant with a statement in writing setting forth the basis of the board's determination that the applicant does not possess the qualifications or professional competence required by this article 245. The applicant may request a hearing on the determination as provided in section 24-4-104 (9)."

Renumber succeeding sections accordingly.

Page 8, strike lines 18 and 19 and substitute "therapists AND LICENSED MARRIAGE AND FAMILY THERAPIST CANDIDATES, LICENSED social workers..."
AND LICENSED SOCIAL WORKER CANDIDATES, LICENSED professional counselors AND LICENSED PROFESSIONAL COUNSELOR CANDIDATES, and LICENSED psychologists AND LICENSED PSYCHOLOGIST CANDIDATES; licensed or certified addiction counselors AND LICENSED OR CERTIFIED ADDICTION COUNSELOR CANDIDATES; and registered".

Page 9, strike line 6, and substitute "(2)(e)(IV); and add (2)(g) and (2)(h) as follows:"

Page 9, strike lines 16 through 22.

Page 9, strike line 25 and substitute "PROGRAM; OR (h) A PROFESSIONAL PRACTICING AURICULAR ACUDETOX IN ACCORDANCE WITH SECTION 12-245-233.".

Page 11, line 26, after "CRIME" insert "RELATED TO THE PERSON'S PRACTICE".

Page 11, after line 27 insert: "(III) A NONVIOLENT FELONY, DEFERRED SENTENCE, OR FELONY CHARGE THAT OCCURRED FIVE OF MORE YEARS BEFORE THE DATE THAT THE INITIAL LICENSE, REGISTRATION, OR CERTIFICATE IS ISSUED IS NOT A VIOLATION OF THIS ARTICLE 245 AND DOES NOT NEED TO BE DISCLOSED TO THE BOARD.".

Page 12, line 3, strike "PROVIDED" and substitute "PROVIDED, INCLUDING MARKETING, OFFICE SPACE, ADMINISTRATIVE, CONSULTATIVE, AND CLINICAL SERVICES,".

Page 12, line 7, strike "PROVIDED" and substitute "PROVIDED, INCLUDING MARKETING, OFFICE SPACE, ADMINISTRATIVE, CONSULTATIVE, AND CLINICAL SERVICES,".

Page 12, line 14, strike "(2)(d)(I) and (8)" and substitute "(2)(d)(I), (4)(a), and (8); and add (9) and repeal (4)(b)".

Page 13, after line 1 insert: "(4) (a) Except as provided in subsection (4)(b) of this section, if a complaint is dismissed FOR RECORDS OF DISCIPLINARY ACTION TAKEN BY THE BOARD PURSUANT TO THIS SECTION, records of investigations, examinations, hearings, meetings, and other proceedings of the board
conducted pursuant to this section are exempt from the open records law, article 72 of title 24.

(b) The exemption from the open records law specified in subsection (4)(a) of this section does not apply:

(I) When a decision to proceed with a disciplinary action has been agreed upon by a majority of the members of the applicable board and a notice of formal complaint is drafted and served on the licensee, registrant, or certificate holder by first-class mail; or

(II) Upon final agency action:”.

Page 13, after line 17 insert:

"(9) A LETTER OF ADMONITION ISSUED TO A PERSON PURSUANT TO SECTION 12-20-404 (4) IS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE TO THE PUBLIC OR IN ANY COURT ACTION FIVE YEARS AFTER THE DATE THE LETTER IS ISSUED UNLESS:

(a) THE BOARD IS A PARTY TO AN ACTION WHERE THE LETTER OF ADMONITION IS AT ISSUE; OR

(b) THE PERSON WHO RECEIVED THE LETTER OF ADMONITION HAS SUBSEQUENTLY BEEN SUBJECT TO DISCIPLINARY ACTION BY THE BOARD.".

Page 13, after line 17 insert:

"SECTION 16. In Colorado Revised Statutes, 12-245-233, amend (1), (2), and (4) as follows:

12-245-233. Auricular acudetox by professionals - training - definition. (1) A mental health care professional who has provided documentation that he or she has been trained to perform auricular acudetox in accordance with subsection (4) of this section may perform auricular acudetox if the auricular acudetox is performed under the mental health care professional's current scope of practice. and the mental health professional is:

(a) Licensed pursuant to this article 245;

(b) Certified as a level III addiction counselor pursuant to part 8 of this article 245; or

(c) Registered as a psychotherapist pursuant to part 7 of this article 245.

(2) A mental health care professional performing auricular acudetox pursuant to subsection (1) of this section shall not use the title "acupuncturist" or otherwise claim to be a person qualified to perform acupuncture beyond the scope of this section.

(4) In order to perform auricular acudetox pursuant to subsection (1) of this section, a mental health care professional must successfully
complete a training program in auricular acudetox for the treatment of
substance use disorders that meets or exceeds standards of training
established by the National Acupuncture Detoxification Association or
another organization approved by the director."

Renumber succeeding sections accordingly.

Page 15, strike line 12 and substitute "(2) introductory portion, (2)(b), and
(3) as follows:"

Page 15, strike lines 19 through 27.

Page 16, strike lines 1 through 4 and substitute "of a mental health
consumer. These individuals must have never been psychologists, applicants or former applicants for licensure as psychologists, members
of another mental health profession, or members of households that
include psychologists or members of another mental health profession or
otherwise have conflicts of interest or the appearance of conflicts with
their duties as board members.

(3) (a) Each board member shall hold office until the expiration
of the member's appointed term or until a successor is duly appointed.
Except as specified in subsection (3)(b) of this section, The term of each
member shall be four years, and no board member shall serve more than
two full consecutive terms. Any vacancy occurring in board membership
other than by expiration of a term shall be filled by the governor by
appointment for the unexpired term of the member.".

Page 18, after line 23 insert:

"SECTION 25. In Colorado Revised Statutes, 12-245-601, add
(1.5) and (2.5) as follows:

12-245-601. Definitions. As used in this part 6, unless the context
otherwise requires:

(1.5) "CLINICAL SUPERVISION" MEANS SUPERVISION PROVIDED BY
A LICENSED PROFESSIONAL COUNSELOR SUPERVISOR, LICENSED
PSYCHOLOGIST, LICENSED MARRIAGE AND FAMILY THERAPIST, LICENSED
CLINICAL SOCIAL WORKER, OR LICENSED ADDICTION COUNSELOR; THAT IS
NOT ADMINISTRATIVE IN NATURE; AND THAT MAY INCLUDE A
COLLABORATIVE RELATIONSHIP THAT PROMOTES THE EDUCATION,
GROWTH, AND DEVELOPMENT OF A LICENSED PROFESSIONAL COUNSELOR
APPLICANT AND PROVIDES FOR THE EVALUATION OF THE APPLICANT'S
CLINICAL PERFORMANCE AND COMPETENCY."
(2.5) "LICENSED PROFESSIONAL COUNSELOR SUPERVISOR" MEANS A LICENSED PROFESSIONAL COUNSELOR WHO HAS RECEIVED EDUCATION AND TRAINING IN THE CLINICAL SUPERVISION OF MENTAL HEALTH PROFESSIONALS AS DETERMINED BY THE BOARD.

Renumber succeeding sections accordingly.

Page 19, after line 4 insert:

"SECTION 27. In Colorado Revised Statutes, 12-245-501, add (2.5) as follows:

12-245-501. Definitions. As used in this part 5, unless the context otherwise requires:

(2.5) "CLINICAL SUPERVISION" MEANS:

(a) THE EVALUATION AND MODIFICATION OR APPROVAL BY A SUPERVISOR OF THE CLINICAL PRACTICE OF THE PERSON BEING SUPERVISED; AND

(b) A SOURCE OF KNOWLEDGE, EXPERTISE, AND MORE ADVANCED SKILLS MADE AVAILABLE TO THE PERSON BEING SUPERVISED.

SECTION 28. In Colorado Revised Statutes, 12-245-504, amend (1)(d) as follows:

12-245-504. Qualifications - examination - licensure and registration. (1) The board shall issue a license as a marriage and family therapist to each applicant who files an application in a form and manner required by the board, submits the fee required by the board pursuant to section 12-245-205, and furnishes evidence satisfactory to the board that the applicant:

(d) Subsequent to completing his or her master's or doctoral degree, has had at least two years of post-master's or one year of postdoctoral practice in individual and marriage and family therapy, including at least one thousand five hundred hours of face-to-face direct client contact as determined by the board for the purpose of assessment and intervention under board-approved CLINICAL supervision THAT MAY BE IN-PERSON OR TELESUPERVISION; and

SECTION 29. In Colorado Revised Statutes, 12-245-604, amend (1)(d) as follows:

12-245-604. Licensure - examination - licensed professional counselors. (1) The board shall issue a license as a licensed professional counselor to each applicant who files an application in a form and manner required by the board, submits the fee required by the board pursuant to section 12-245-205, and furnishes evidence satisfactory to the board that
the applicant:

(d) (I) Has at least two years of post-master's practice or one year of postdoctoral practice in licensed professional counseling under CLINICAL supervision; approved by the board; and

(II) Has at least two thousand hours of practice in counseling, including at least one thousand five hundred hours of face-to-face direct client contact under clinical supervision that is in-person or is telesupervision; and

SECTION 30. In Colorado Revised Statutes, 12-245-604, add (5) as follows:

12-245-604. Licensure - examination - licensed professional counselors. (5) (a) If an applicant has completed an equivalent program as determined by the board pursuant to subsection (1)(c) of this section, the board shall not place additional requirements, barriers, or burdens related to licensure or supervision on the applicant.

(b) The board shall not give preference concerning licensure, supervision, or other requirements of this part 6 to an applicant who has completed a master's or doctoral degree in professional counseling from an accredited school or college pursuant to subsection (1)(c) of this section based upon the accrediting organization."

Renumber succeeding sections accordingly.

Page 19, line 5, after "12-245-703," insert "amend (3); and".

Page 19, after line 16 insert:

"(3) (a) Before September 1, 2020, any person not otherwise licensed, registered, or certified pursuant to this article 245 who is practicing psychotherapy in this state shall register with the board by submitting his or her name, current address, educational qualifications, disclosure statements, therapeutic orientation or methodology, or both, and years of experience in each specialty area. Upon receipt and review of the required information, the board may approve the psychotherapist for registration in the database required by subsection (1) of this section. A registered psychotherapist shall update this information upon renewal of his or her registration and at other times and under conditions specified by the board by rule. At the time of recording the information required by this section, the registered psychotherapist shall indicate whether he or
she has been convicted of, or entered a plea of guilty or nolo contendere
to, any felony or misdemeanor.

(b) (I) A PERSON REGISTERED AS A PSYCHOTHERAPIST PURSUANT
TO THIS PART 7 AND WHO MEETS THE REQUIREMENTS OF THIS SECTION
MAY CONTINUE TO PRACTICE AS A REGISTERED PSYCHOTHERAPIST
THROUGH SEPTEMBER 1, 2025.

(II) ON AND AFTER SEPTEMBER 1, 2025, A PERSON WHO WISHES TO
PRACTICE PSYCHOTHERAPY IN THIS STATE MUST OBTAIN CANDIDATE FOR
LICENSURE STATUS OR A LICENSE TO PRACTICE AS A LICENSED MENTAL
HEALTH PROFESSIONAL PURSUANT TO PART 3, 4, 5, 6, OR 8 OF THIS ARTICLE
245.

SECTION 32. In Colorado Revised Statutes, 12-245-801, amend
(6) as follows:

12-245-801. Definitions. As used in this part 8, unless the context
otherwise requires:

(6) "Certified" means certified as an addiction counselor certified
at level I, II, or III ADDICTION TECHNICIAN OR ADDICTION SPECIALIST."

SECTION 35. In Colorado Revised Statutes, 12-245-804, amend
(1)(d)(I), (1)(e), (1)(g), and (2)(c); and add (3.5) as follows:

12-245-804. Requirements for licensure and certification -
rules. (1) The board shall issue a license as an addiction counselor to an
applicant who files an application in the form and manner required by the
board, submits the fee required by the board pursuant to section
12-245-205, and submits evidence satisfactory to the board that the
applicant:

(d) Demonstrates professional competence by:

(I) Passing a national THE MASTER ADDICTION COUNSELOR
examination demonstrating special knowledge and skills in behavioral
health disorders counseling as determined by the office of behavioral
health in the department of human services and approved by the board
ADMINISTERED BY THE NATIONAL ASSOCIATION FOR ALCOHOLISM AND
DRUG ABUSE COUNSELORS, OR AN EQUIVALENT EXAMINATION
ADMINISTERED BY A SUCCESSOR ORGANIZATION; and

(e) Has met the requirements for a certificate of addiction
counseling, level III SPECIALIST;

(g) Has completed at least five THREE thousand hours of clinically
supervised work experience in the addiction field with a minimum of two thousand direct clinical hours. The clinical supervision may be in-person or telesupervision.

(2) The board shall issue a certification as an addiction counselor to an applicant who files an application in the form and manner required by the board, submits the fee required by the board pursuant to section 12-245-205, and submits evidence satisfactory to the board that the applicant:

(c) Has met the requirements for certification at a particular certification level as a certified addiction technician or a certified addiction specialist as specified in rules adopted pursuant to subsection (3) of this section by the state board of human services in the department of human services and as specified in subsection (3.5) of this section.

(3.5) In the rules promulgated pursuant to subsection (3) of this section, the state board shall require that:

(a) A certified addiction technician:

(I) Have a high school diploma or its equivalent;

(II) Accrued a minimum of one thousand hours of supervised clinical experience hours over a minimum of six months;

(III) Passed a jurisprudence examination as determined by the board; and

(IV) Passed the national certification addiction counselor level I examination administered by the National Association of Alcoholism and Drug Abuse Counselors, or an equivalent examination administered by a successor organization.

(b) A certified addiction specialist:

(I) Have a bachelor's degree in a clinical behavioral health concentration;

(II) Accrued a minimum of two thousand hours of supervised clinic work hours over a minimum of twelve months, which may include the hours required for certification as a certified addiction specialist;

(III) Passed a jurisprudence examination as determined by the board; and

(IV) Passed the national certification addiction counselor level II examination administered by the National Association for Alcoholism and Drug Abuse Counselors, or an equivalent examination administered by a successor...
ORGANIZATION.

SECTION 36. In Colorado Revised Statutes, 12-245-805, amend (1); and add (3) as follows:

12-245-805. Rights and privileges of certification and licensure - titles. (1) Any person who possesses a valid, unsuspended, and unrevoked certificate as a level I, II, or III certified addiction counselor, CERTIFIED ADDICTION TECHNICIAN OR CERTIFIED ADDICTION SPECIALIST has the right to practice addiction counseling under supervision or consultation as required by the rules of the state board of human services in the department of human services; a level III certified addiction counselor has the right to supervise addiction counseling practice, and all levels of certification have the right to MAY use the title "certified addiction counselor" and the abbreviations "CAC I", "CAC II", or "CAC III", as applicable "CAC" or "CAS"; A CERTIFIED ADDICTION TECHNICIAN MAY USE THE TITLE "CERTIFIED ADDICTION COUNSELOR", "CAC", OR "CAT". No other person shall assume these titles or use these abbreviations on any work or media to indicate that the person using the title or abbreviation is a certified addiction counselor.

(3)(a) THE PRACTICE OF A CERTIFIED ADDICTION TECHNICIAN MAY INCLUDE:

(I) COLLECTION OF BIOPSYCHOSOCIAL SCREENING DATA;
(II) SERVICE COORDINATION AND CASE MANAGEMENT;
(III) MONITORING COMPLIANCE WITH CASE MANAGEMENT PLANS;
(IV) SKILL BASED EDUCATION;
(V) CO-FACILITATING THERAPY GROUPS WITH CERTIFIED ADDICTION SPECIALISTS OR LICENSED ADDICTION COUNSELORS;
(VI) CLIENT, FAMILY, AND COMMUNITY ADDICTION EDUCATION;
AND
(VII) REFERRAL AND DISCHARGE RESOURCING AND PLANNING.

(b) THE PRACTICE OF A CERTIFIED ADDICTION SPECIALIST MAY INCLUDE:

(I) TREATING SUBSTANCE USE AND CO-OCCURRING DISORDERS;
(II) CLINICAL ASSESSMENTS INCLUDING DIAGNOSTIC IMPRESSION;
(III) TREATMENT PLANNING;
(IV) REFERRAL AND DISCHARGE PLANNING;
(V) SERVICE COORDINATION AND CASE MANAGEMENT;
(VI) ADDICTION COUNSELING FOR INDIVIDUALS, FAMILIES, AND GROUPS; AND
(VII) CLIENT, FAMILY, AND COMMUNITY EDUCATION AND PSYCHO-EDUCATION.".
Renumber succeeding sections accordingly.

Page 20, strike lines 14 through 22 and substitute:

"SECTION 38. In Colorado Revised Statutes, 12-245-806, amend (1)(a), (1)(b) introductory portion, (1)(b)(I), (1)(b)(III), (1)(c) introductory portion, (1)(d), (2)(a), and (3) as follows:

12-245-806. Continuing professional competency - rules - definition. (1) (a) In accordance with sections 12-245-803 and 12-245-804, the board issues a license or certificate to practice addiction counseling based on whether the applicant satisfies minimum educational and experience requirements that demonstrate professional competency to practice addiction counseling. After a license or a certificate as a level II or level III addiction counselor is issued to an applicant, the licensed or level II or level III certified addiction counselor shall maintain continuing professional competency to practice addiction counseling.

(b) The board, in consultation with the office of behavioral health in the department of human services, and, IN CONSULTATION WITH other stakeholders, shall adopt rules establishing a continuing professional competency program that includes, at a minimum, the following elements:

(I) A self-assessment of the knowledge and skills of a licensed or level II or level III certified addiction counselor seeking to renew or reinstate a license;

(II) A self-assessment of the knowledge and skills of a licensed or level II or level III certified addiction counselor seeking to renew or reinstate a license;

(III) Periodic demonstration of knowledge and skills through documentation of activities necessary to ensure at least minimal ability to safely practice the profession. Nothing in this subsection (1)(b)(III) shall require a licensed or level II or level III certified addiction counselor to retake any examination required pursuant to section 12-245-804 in connection with initial licensure or certification.

(c) A licensed or level II or level III certified addiction counselor satisfies the continuing competency requirements of this section if the licensed or level II or level III certified addiction counselor meets the continued professional competence requirements of one of the following entities:

(d) (I) After the program is established, a licensed or level II or level III certified addiction counselor shall satisfy the requirements of the program in order to renew or reinstate a license or certificate to practice addiction counseling in Colorado.

(II) The requirements of this section apply to individual addiction counselors who are licensed or level II or level III certified pursuant to this part 8, and nothing in this section shall be construed to require a
person who employs or contracts with a licensed or level II or level III certified addiction counselor to comply with the requirements of this section.

(2) (a) Records of assessments or other documentation developed or submitted in connection with the continuing professional competency program are confidential and not subject to inspection by the public or discovery in connection with a civil action against a licensed or certified addiction counselor. The records or documents shall be used only by the board for purposes of determining whether a licensed or level II or level III certified addiction counselor is maintaining continuing professional competency to engage in the profession.

(3) As used in this section, "continuing professional competency" means the ongoing ability of a licensed or level II or level III certified addiction counselor to learn, integrate, and apply the knowledge, skill, and judgment to practice as an addiction counselor according to generally accepted industry standards and professional ethical standards in a designated role and setting.

SECTION 39. In Colorado Revised Statutes, 27-80-108, add (2) as follows:

27-80-108. Rules. (2) IN THE RULES PROMULGATED PURSUANT TO SUBSECTION (1)(e) OF THIS SECTION, THE STATE BOARD OF HUMAN SERVICES SHALL REQUIRE THE FOLLOWING EDUCATION REQUIREMENTS:

(a) FOR CERTIFIED ADDICTION TECHNICIANS:
   (I) COMPLETION OF COURSE WORK AND TRAINING IN ADDICTION COUNSELING, CLIENT RECORDS MANAGEMENT, PRINCIPLES OF ADDICTION, PROFESSIONAL ETHICS, CULTURALLY INFORMED TREATMENT, PHARMACOLOGY, MOTIVATIONAL INTERVIEWING, TRAUMA INFORMED CARE, AND GROUP COUNSELING SKILLS; AND
   (II) OTHER COURSES AND TRAINING AS DETERMINED BY THE STATE BOARD OF HUMAN SERVICES.

(b) FOR CERTIFIED ADDICTION SPECIALISTS:
   (I) COMPLETION OF COURSE WORK AND TRAINING IN CLINICAL ASSESSMENT AND TREATMENT PLANNING, COGNITIVE BEHAVIORAL THERAPY, CO-OCCURRING DISORDERS, ADVANCED PHARMACOLOGY, ADVANCED PROFESSIONAL ETHICS, ADVANCED MOTIVATIONAL INTERVIEWING, ADVANCED MODELS, SPECIALIZED ADDICTION TREATMENT, AND INFECTIOUS DISEASES; AND
   (II) OTHER COURSES AND TRAINING AS DETERMINED BY THE STATE BOARD OF HUMAN SERVICES.

SECTION 40. In Colorado Revised Statutes, add 12-245-706 as

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follows:

12-245-706. Repeal of part. This Part 7 is repealed, effective September 1, 2025.

SECTION 41. In Colorado Revised Statutes, 12-20-105, amend (2)(b)(II) as follows:

12-20-105. Fee adjustments - division of professions and occupations cash fund created - legal defense account created - definition. (2) (b) (II) The costs of the state board of psychologist examiners, the state board of marriage and family therapist examiners, the state board of licensed professional counselor examiners, the state board of social work examiners, the state board of registered psychotherapists, and the state board of addiction counselor examiners shall be considered collectively in the renewal fee-setting process. Subsequent revenue generated by the fees set by the boards plus revenues generated pursuant to section 12-245-703 shall be compared to those collective costs to determine recovery of direct and indirect costs.

SECTION 42. In Colorado Revised Statutes, 12-20-407, amend (1)(a)(V)(N) as follows:

12-20-407. Unauthorized practice of profession or occupation - penalties - exclusions. (1) (a) A person commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501 for the first offense and, for the second or any subsequent offense, commits a class 6 felony and shall be punished as provided in section 18-1.3-401 if the person:

(V) Practices or offers or attempts to practice any of the following professions or occupations without an active license, certification, or registration issued under the part or article of this title 12 governing the particular profession or occupation:

(N) Practice as a psychologist, social worker, marriage and family therapist, licensed professional counselor, psychotherapist, or addiction counselor, as regulated under article 245 of this title 12;

SECTION 43. In Colorado Revised Statutes, 12-30-102, repeal (3)(a)(XVIII) as follows:

12-30-102. Medical transparency act of 2010 - disclosure of information about health care licensees - fines - rules - short title - legislative declaration - definition - review of functions - repeal. (3) (a) As used in this section, "applicant" means a person applying for a new, active license, certification, or registration or to renew, reinstate, or reactivate an active license, certification, or registration to practice:

(XVIII) Psychotherapy pursuant to part 7 of article 245 of this title.
SECTION 44. In Colorado Revised Statutes, 12-200-108, amend (4)(a) introductory portion; and repeal (4)(a)(III) as follows:

12-200-108. Unlawful acts - exceptions - definition. (4) (a) Notwithstanding any provision of this article 200 to the contrary, a mental health care professional who has provided documentation that he or she has been trained to perform auricular acudetox in compliance with subsection (4)(d) of this section may perform auricular acudetox if the auricular acudetox is performed under the mental health care professional's current scope of practice, and the mental health care professional is:

   (III) Registered as a psychotherapist pursuant to part 7 of article 245 of this title.

SECTION 45. In Colorado Revised Statutes, amend 12-245-101 as follows:

12-245-101. Legislative declaration. The general assembly hereby finds and determines that, in order to safeguard the public health, safety, and welfare of the people of this state and in order to protect the people of this state against the unauthorized, unqualified, and improper application of psychology, social work, marriage and family therapy, professional counseling, psychotherapy, and addiction counseling, it is necessary that the proper regulatory authorities be established and adequately provided for. The general assembly therefore declares that there shall be established a state board of psychologist examiners, a state board of social work examiners, a state board of marriage and family therapist examiners, a state board of licensed professional counselor examiners, a state board of registered psychotherapists, and a state board of addiction counselor examiners with the authority to license, register, or certify, and take disciplinary actions or bring injunctive actions, or both, concerning licensed psychologists and psychologist candidates, licensed social workers, licensed marriage and family therapists and marriage and family therapist candidates, licensed professional counselors and licensed professional counselor candidates, registered psychotherapists, and licensed and certified addiction counselors, respectively, and mental health professionals who have been issued a provisional license pursuant to this article 245.

SECTION 46. In Colorado Revised Statutes, 12-245-202, amend (1) and (16); and repeal (15) as follows:

12-245-202. Definitions. As used in this article 245, unless the context otherwise requires:

   (1) "Board" includes the state board of psychologist examiners, the state board of social work examiners, the state board of licensed
professional counselor examiners, the state board of marriage and family therapist examiners, the state board of registered psychotherapists, and the state board of addiction counselor examiners.

(15) (a) "Registered psychotherapist" means a person:
(I) Whose primary practice is psychotherapy or who holds himself or herself out to the public as being able to practice psychotherapy for compensation; and
(II) Who is registered with the state board of registered psychotherapists pursuant to section 12-245-703 to practice psychotherapy in this state:
(b) "Registered psychotherapist" also includes a person who:
(I) Is a licensed school psychologist licensed pursuant to section 22-60.5-210 (1)(b);
(II) Is practicing outside of a school setting; and
(III) Is registered with the state board of registered psychotherapists pursuant to section 12-245-703:
(16) "Registrant" means a psychologist candidate, marriage and family therapist candidate, or licensed professional counselor candidate registered pursuant to section 12-245-304 (3), 12-245-504 (4), or 12-245-604 (4), respectively, or a registered psychotherapist.

SECTION 47. In Colorado Revised Statutes, 12-245-203, amend (2) as follows:

12-245-203. Practice outside of or beyond professional training, experience, or competence - general scope of practice for licensure, registration, or certification. (2) The practice of psychotherapy is one area of practice for mental health professionals licensed, certified, or registered pursuant to this article 245 but may not be the only or primary practice area of the professionals. other than persons registered as psychotherapists pursuant to part 7 of this article 245: The requirements for licensure, registration, or certification as a mental health professional pursuant to this article 245 are contained in sections 12-245-303, 12-245-403, 12-245-503, 12-245-603, and 12-245-803, which define the practice of psychology, social work, marriage and family therapy, licensed professional counseling, and addiction counseling, respectively.

SECTION 48. In Colorado Revised Statutes, 12-245-205, amend (4) as follows:

12-245-205. Fees - renewal. (4) The director shall coordinate fee-setting pursuant to this section so that all licensees, registrants, and certificate holders pay fees as required by this section. and section 12-245-703 (1):
SECTION 49. In Colorado Revised Statutes, amend 12-245-210, as follows:

12-245-210. Drugs - medicine. Nothing in this article 245 permits psychologists, social workers, marriage and family therapists, licensed professional counselors, psychotherapists, and addiction counselors licensed, registered, or certified under this article 245 to administer or prescribe drugs or in any manner engage in the practice of medicine as defined by the laws of this state.

SECTION 50. In Colorado Revised Statutes, 12-245-213, amend (1)(b)(IV) and (1)(b)(V); and repeal (1)(b)(VI) as follows:

12-245-213. Professional service corporations for the practice of psychology, social work, marriage and family therapy, professional counseling, and addiction counseling - definitions. (1) Licensees registrants, or certificate holders may form professional service corporations for the practice of psychology, social work, marriage and family therapy, professional counseling, psychotherapy, or addiction counseling under the "Colorado Business Corporation Act", articles 101 to 117 of title 7, if the corporations are organized and operated in accordance with this section. The articles of incorporation of a professional service corporation formed pursuant to this section must contain provisions complying with the following requirements:

(b) The corporation must be organized by licensees registrants, or certificate holders for the purpose of conducting the practice of psychology, social work, marriage and family therapy, professional counseling, psychotherapy, or addiction counseling by the respective licensees, registrants, or certificate holders of those practices. The corporation may be organized with any other person, and any person may own shares in the corporation, if the following conditions are met:

(IV) The practice of licensed professional counseling, as defined in section 12-245-603, by the professional service corporation is performed by a licensed professional counselor acting independently or under the supervision of a person licensed pursuant to this article 245 or a licensed professional counselor. Any licensed professional counselor member of the professional service corporation remains individually responsible for his or her professional acts and conduct as provided elsewhere in this article 245; OR

(V) The practice of addiction counseling, as defined in section 12-245-803, by the professional service corporation is performed by a licensed addiction counselor acting independently or under the supervision of a person licensed pursuant to this article 245 or a licensed addiction counselor. Any licensed addiction counselor member of the
professional service corporation remains individually responsible for his or her professional acts and conduct as provided in this article 245.

(VI) The practice of psychotherapy, as defined in section 12-245-202, by the professional service corporation is performed by a registered psychotherapist acting independently or under the supervision of a person licensed pursuant to this article 245 or a registered psychotherapist. Any registered psychotherapist member of the professional service corporation remains individually responsible for his or her professional acts and conduct as provided in this article 245.

SECTION 51. In Colorado Revised Statutes, 12-245-216, amend (1)(d)(IV) and (4)(g); and repeal (1)(e) as follows:

12-245-216. Mandatory disclosure of information to clients.
(1) Except as otherwise provided in subsection (4) of this section, every licensee, registrant, or certificate holder shall provide the following information in writing to each client during the initial client contact:

(d) A statement indicating that:
(IV) The information provided by the client during therapy sessions is legally confidential in the case of licensed marriage and family therapists, social workers, professional counselors, and psychologists AND licensed or certified addiction counselors, and registered psychotherapists, except as provided in section 12-245-220 and except for certain legal exceptions that will be identified by the licensee, registrant, or certificate holder should any such situation arise during therapy; and

(e) If the mental health professional is a registered psychotherapist, a statement indicating that a registered psychotherapist is a psychotherapist listed in the state's database and is authorized by law to practice psychotherapy in Colorado but is not licensed by the state and is not required to satisfy any standardized educational or testing requirements to obtain a registration from the state.

(4) The disclosure of information required by subsection (1) of this section is not required when psychotherapy is being administered in any of the following circumstances:
(g) By a person licensed or certified pursuant to this article 245.
or by a registered psychotherapist practicing in a hospital that is licensed or certified under section 25-1.5-103 (1)(a)(I) or (1)(a)(II).

SECTION 52. In Colorado Revised Statutes, 12-245-217, repeal (4) as follows:

12-245-217. Scope of article - exemptions.(4) The provisions of section 12-245-703 do not apply to employees of community mental health centers or clinics as those centers or clinics are defined by section 27-66-101, but persons practicing outside the scope of employment as
employees of a facility defined by section 27-66-101 are subject to the
provisions of section 12-245-703:

SECTION 53. In Colorado Revised Statutes, 12-245-225, repeal
(1)(d) as follows:

12-245-225. Authority of boards - cease-and-desist orders -
rules. (1) If a licensee, registrant, or certificate holder violates any
provision of section 12-245-224, the board that licenses, registers, or
certifies the licensee, registrant, or certificate holder may, in accordance
with section 12-20-404:

(d) Deny, revoke, or suspend the listing of a registered
psychotherapist in the state board of registered psychotherapists database
established pursuant to section 12-245-703;

SECTION 54. In Colorado Revised Statutes, 12-245-228, amend
(1) as follows:

12-245-228. Unauthorized practice - penalties. (1) Any person
who practices or offers or attempts to practice as a psychologist, social
worker, marriage and family therapist, licensed professional counselor,
psychotherapist, or addiction counselor without an active license
registration; or certification issued under this article 245 is subject to
penalties pursuant to section 12-20-407 (1)(a).

SECTION 55. In Colorado Revised Statutes, 12-245-231, amend
(3) as follows:

12-245-231. Mental health professional peer health assistance
program - fees - administration - rules. (5) As used in this section,
"mental health professional" means a psychologist, social worker,
membership and family therapist, licensed professional counselor,
psychotherapist, or addiction counselor regulated under this article 245.

SECTION 56. In Colorado Revised Statutes, 12-245-304, amend
(3)(b) as follows:

12-245-304. Qualifications - examinations - licensure. (3)(b) A
psychologist candidate registered pursuant to this subsection (3) is under
the jurisdiction of the board. The psychologist candidate may, but is not
required to, register with the database of registered psychotherapists
pursuant to section 12-245-703. If the requirements of subsections (1)(d)
and (1)(e) of this section are not met within four years, the registration of
the psychologist candidate expires and is not renewable unless the board,
in its discretion, grants the candidate an extension. A person whose
psychologist candidate registration expires is not precluded from applying
for licensure or registration with any other mental health board for which
the person is qualified.

SECTION 57. In Colorado Revised Statutes, 12-245-306, repeal
(6) as follows:

12-245-306. Exemptions. (6) Nothing in this part 3 prevents the practice of psychotherapy by persons registered with the state board of registered psychotherapists pursuant to section 12-245-703.

SECTION 58. In Colorado Revised Statutes, 12-245-404, repeal (4) as follows:

12-245-404. Qualifications - examination - licensure and registration. (4) A person licensed as a licensed social worker pursuant to subsection (1) of this section may, but is not required to, register with the database of registered psychotherapists pursuant to section 12-245-703.

SECTION 59. In Colorado Revised Statutes, 12-245-406, repeal (5) as follows:

12-245-406. Scope of part. (5) Nothing in this part 4 prevents the practice of psychotherapy by persons registered with the state board of registered psychotherapists pursuant to section 12-245-703.

SECTION 60. In Colorado Revised Statutes, 12-245-504, amend (4)(b) as follows:

12-245-504. Qualifications - examination - licensure and registration. (4) (b) A marriage and family therapist candidate who registers with the board pursuant to this subsection (4) is under the jurisdiction of the board and may, but is not required to, register with the database of registered psychotherapists pursuant to section 12-245-703.

SECTION 61. In Colorado Revised Statutes, 12-245-505, repeal (5) as follows:

12-245-505. Rights and privileges of licensure and registration - title. (5) Nothing in this part 5 prevents the practice of psychotherapy by persons registered with the state board of registered psychotherapists pursuant to section 12-245-703.

SECTION 62. In Colorado Revised Statutes, 12-245-604, amend (4)(b) as follows:

12-245-604. Licensure - examination - licensed professional counselors. (4) (b) A licensed professional counselor candidate who registers with the board pursuant to this subsection (4) is under the jurisdiction of the board and may, but is not required to, register with the database of registered psychotherapists pursuant to section 12-245-703.

SECTION 63. In Colorado Revised Statutes, 12-245-605, repeal (4) as follows:

12-245-605. Rights and privileges of licensure - title. (4) Nothing in this part 6 prevents the practice of psychotherapy by persons registered with the state board of registered psychotherapists...
pursuant to section 12-245-703.

SECTION 64. In Colorado Revised Statutes, 13-90-107, amend (1)(g) as follows:

13-90-107. Who may not testify without consent - definitions. (1) There are particular relations in which it is the policy of the law to encourage confidence and to preserve it inviolate; therefore, a person shall not be examined as a witness in the following cases:

(g) A licensed psychologist, professional counselor, marriage and family therapist, social worker, or addiction counselor, a registered psychotherapist, a certified addiction counselor, a psychologist candidate registered pursuant to section 12-245-304 (3), a marriage and family therapist candidate registered pursuant to section 12-245-504 (4), a licensed professional counselor candidate registered pursuant to section 12-245-604 (4), or a person described in section 12-245-217 shall not be examined without the consent of the licensee's, certificate holder's, registrant's, candidate's, or person's client as to any communication made by the client to the licensee, certificate holder, registrant, candidate, or person or the licensee's, certificate holder's, registrant's, candidate's, or person's advice given in the course of professional employment; nor shall any secretary, stenographer, or clerk employed by a licensed psychologist, professional counselor, marriage and family therapist, social worker, or addiction counselor, a registered psychotherapist, a certified addiction counselor, a psychologist candidate registered pursuant to section 12-245-304 (3), a marriage and family therapist candidate registered pursuant to section 12-245-504 (4), a licensed professional counselor candidate registered pursuant to section 12-245-604 (4), or a person described in section 12-245-217 be examined without the consent of the employer of the secretary, stenographer, or clerk concerning any fact, the knowledge of which the employee has acquired in such capacity; nor shall any person who has participated in any psychotherapy, conducted under the supervision of a person authorized by law to conduct such therapy, including group therapy sessions, be examined concerning any knowledge gained during the course of such therapy without the consent of the person to whom the testimony sought relates.

SECTION 65. In Colorado Revised Statutes, 18-6.5-108, amend (1)(b)(VII) as follows:

18-6.5-108. Mandatory reports of mistreatment of at-risk elders and at-risk adults with IDD - list of reporters - penalties. (1)(b) The following persons, whether paid or unpaid, shall report as required by subsection (1)(a) of this section:

(VII) Psychologists, addiction counselors, professional
counselors, AND marriage and family therapists, and registered psychotherapists, as those persons are defined in article 245 of title 12;

SECTION 66. In Colorado Revised Statutes, 19-1-307, repeal (2)(e.5)(I)(G) as follows:

19-1-307. Dependency and neglect records and information - access - fee - rules - records and reports fund - misuse of information - penalty - adult protective services data system check. (2) Records and reports - access to certain persons - agencies. Except as otherwise provided in section 19-1-303, only the following persons or agencies shall have access to child abuse or neglect records and reports:

(e.5) (I) A mandatory reporter specified in this subsection (2)(e.5)(I) who is and continues to be officially and professionally involved in the ongoing care of the child who was the subject of the report, but only with regard to information that the mandatory reporter has a need to know in order to fulfill his or her professional and official role in maintaining the child's safety. A county department shall request written affirmation from a mandatory reporter stating that the reporter continues to be officially and professionally involved in the ongoing care of the child who was the subject of the report. This subsection (2)(e.5)(I) applies to:

(G) Registered psychotherapists;

SECTION 67. In Colorado Revised Statutes, 19-3-304, repeal (2)(z) as follows:

19-3-304. Persons required to report child abuse or neglect. (2) Persons required to report such abuse or neglect or circumstances or conditions include any:

(z) Registered psychotherapists;

SECTION 68. In Colorado Revised Statutes, 24-1-122, repeal (3)(ll) as follows:

24-1-122. Department of regulatory agencies - creation. (3) The following boards and agencies are transferred by a type 1 transfer to the department of regulatory agencies and allocated to the division of professions and occupations:

(ll) State board of registered psychotherapists, created by part 7 of article 245 of title 12;

SECTION 69. In Colorado Revised Statutes, 26-3.1-102, amend (1)(b)(VII) as follows:

26-3.1-102. Reporting requirements. (1) (b) The following
persons, whether paid or unpaid, are urged to report as described in subsection (1)(a) of this section:

(VII) Psychologists, addiction counselors, professional counselors, and marriage and family therapists, and registered psychotherapists, as those persons are defined in article 245 of title 12;

SECTION 70. In Colorado Revised Statutes, 30-10-606, amend (6)(a)(II) as follows:

30-10-606. Coroner - inquiry - grounds - postmortem - jury - certificate of death. (6) (a) Notwithstanding sections 12-245-220 and 13-90-107 (1)(d) or (1)(g), the coroner holding an inquest or investigation pursuant to this section has the authority to request and receive a copy of:

(II) Any information, record, or report related to treatment, consultation, counseling, or therapy services from any licensed psychologist, professional counselor, marriage and family therapist, social worker, or addiction counselor, certified addiction counselor, registered psychotherapist, psychologist candidate registered pursuant to section 12-245-304 (3), marriage and family therapist candidate registered pursuant to section 12-245-504 (4), licensed professional counselor candidate registered pursuant to section 12-245-604 (4), or person described in section 12-245-217, if the report, record, or information is relevant to the inquest or investigation.

SECTION 71. Act subject to petition - effective date. Sections 30 through 44, 46, 48, 50, and 52 through 59 of this act take effect September 1, 2025, and the remainder of 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; 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor; except that sections 30 through 44, 46, 48, 50, and 52 through 59 of this act take effect September 1, 2025.".

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