

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 17-0252.01 Kristen Forrestal x4217

SENATE BILL 17-033

SENATE SPONSORSHIP

Aguilar,

HOUSE SPONSORSHIP

Lawrence,

Senate Committees

Health & Human Services
Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF A PROFESSIONAL NURSE TO**
102 **DELEGATE DISPENSING AUTHORITY FOR OVER-THE-COUNTER**
103 **MEDICATIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill allows a professional nurse to delegate to another person, after appropriate training, the dispensing authority of an over-the-counter medication to a minor with the signed consent of the minor's parent or guardian.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
February 9, 2017

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-38-103, **amend**
3 the introductory portion and (4) as follows:

4 **12-38-103. Definitions.** As used in this ~~article~~ ARTICLE 38, unless
5 the context otherwise requires:

6 (4) (a) "Delegated medical function" means an aspect of care that
7 implements and is consistent with the medical plan as prescribed by a
8 licensed or otherwise legally authorized physician, podiatrist, or dentist
9 and is delegated to a registered professional nurse or a practical nurse by
10 a physician, ADVANCED PRACTICE NURSE, podiatrist, dentist, or physician
11 assistant. For purposes of this subsection (4), "medical plan" means a
12 written plan, verbal order, standing order, or protocol, whether
13 patient-specific or not, that authorizes specific or discretionary medical
14 action, which may include but is not limited to the selection of
15 medication.

16 (b) "DELEGATED MEDICAL FUNCTION" INCLUDES THE AUTHORITY
17 OF A PROFESSIONAL NURSE TO DELEGATE WITH WRITTEN AUTHORIZATION,
18 INCLUDING STANDING ORDERS, FROM THE HEALTH CARE PROVIDER WITH
19 PRESCRIPTIVE AUTHORITY TO ANOTHER PERSON WHO HAS BEEN
20 APPROPRIATELY TRAINED, THE DISPENSING AUTHORITY OF
21 OVER-THE-COUNTER MEDICATIONS TO A MINOR WITH THE SIGNED
22 CONSENT OF THE MINOR'S PARENT OR GUARDIAN.

23 (c) Nothing in this subsection (4) ~~shall limit~~ LIMITS the practice of
24 nursing as defined in this ~~article~~ ARTICLE 38.

25 **SECTION 2. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August
2 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
3 referendum petition is filed pursuant to section 1 (3) of article V of the
4 state constitution against this act or an item, section, or part of this act
5 within such period, then the act, item, section, or part will not take effect
6 unless approved by the people at the general election to be held in
7 November 2018 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.