

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0252.01 Kristen Forrestal x4217

**SENATE BILL 17-033**

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**SENATE SPONSORSHIP**

**Aguilar,**

**HOUSE SPONSORSHIP**

**Lawrence,**

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**Senate Committees**

Health & Human Services  
Business, Labor, & Technology

**House Committees**

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**A BILL FOR AN ACT**

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

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**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.*

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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.