

CHAPTER 52

**PROFESSIONS AND OCCUPATIONS**

SENATE BILL 18-020

BY SENATOR(S) Garcia, Aguilar, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Guzman, Jahn, Jones, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Smallwood, Tate, Todd, Williams A., Grantham; also REPRESENTATIVE(S) Esgar, Ginal, Kennedy, Lontine, Michaelson Jenet, Reyher, Roberts, Valdez, Duran.

**AN ACT**

**CONCERNING MENTAL HEALTH CARE PROFESSIONALS WHO ARE PERMITTED TO PERFORM AURICULAR ACUDETOK.**

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

**SECTION 1.** In Colorado Revised Statutes, 12-29.5-105, **amend** (3)(a) as follows:

**12-29.5-105. Unlawful acts - exceptions - definition.** (3) (a) Notwithstanding any provision of this ~~article~~ ARTICLE 29.5 to the contrary, a mental health care professional ~~who is licensed pursuant to article 43 of this title and a certified addiction counselor III who is certified pursuant to article 43 of this title and~~ who has provided documentation that he or she has been trained to perform auricular acudetox in compliance with ~~paragraph (d) of this subsection (3)~~ SUBSECTION (3)(d) OF THIS SECTION may perform auricular acudetox ~~if the auricular acudetox must be~~ IS performed under the mental health care professional's current scope of practice, AND THE MENTAL HEALTH CARE PROFESSIONAL IS:

- (I) LICENSED PURSUANT TO ARTICLE 43 OF THIS TITLE 12;
- (II) CERTIFIED AS A LEVEL III ADDICTION COUNSELOR PURSUANT TO PART 8 OF ARTICLE 43 OF THIS TITLE 12; OR
- (III) REGISTERED AS A PSYCHOTHERAPIST PURSUANT TO PART 7 OF ARTICLE 43 OF THIS TITLE 12.

**SECTION 2.** In Colorado Revised Statutes, 12-43-228.5, **amend** (1) as follows:

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

**12-43-228.5. Auricular acudetox by mental health professionals - training - definition.** (1) A mental health care professional who ~~is licensed pursuant to this article and a certified addiction counselor III who is certified pursuant to this article and 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 must be~~ 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 43;
- (b) CERTIFIED AS A LEVEL III ADDICTION COUNSELOR PURSUANT TO PART 8 OF THIS ARTICLE 43; OR
- (c) REGISTERED AS A PSYCHOTHERAPIST PURSUANT TO PART 7 OF THIS ARTICLE 43.

**SECTION 3. 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 8, 2018, if adjournment sine die is on May 9, 2018); 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 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 22, 2018