

First Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 19-0383.01 Jennifer Berman x3286

HOUSE BILL 19-1019

HOUSE SPONSORSHIP

Coleman,

SENATE SPONSORSHIP

(None),

House Committees
Health & Insurance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CONTINUING PROFESSIONAL COMPETENCY
102 REQUIREMENTS FOR PSYCHOTHERAPISTS.

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 establishes continuing professional competency requirements for psychotherapists registered in Colorado by the state board of registered psychotherapists (board). The requirements mirror the continuing professional competency requirements established for social workers, marriage and family therapists, licensed professional counselors, and addiction counselors.

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

On or before March 1, 2020, the board is required to adopt rules establishing a continuing professional competency program that includes the following elements:

- ! A self-assessment of the knowledge and skills of a registered psychotherapist;
- ! The development, execution, and documentation of a learning plan; and
- ! Periodic demonstration of knowledge and skills through documentation of activities.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 12-43-713 as
3 follows:

4 **12-43-713. Continuing professional competency - rules -**
5 **definition.** (1) (a) IN ACCORDANCE WITH SECTION 12-43-702.5, THE
6 BOARD REGISTERS AN INDIVIDUAL INTO THE DATABASE OF REGISTERED
7 PSYCHOTHERAPISTS. AFTER AN INDIVIDUAL IS REGISTERED AS A
8 PSYCHOTHERAPIST, THE REGISTERED PSYCHOTHERAPIST SHALL MAINTAIN
9 CONTINUING PROFESSIONAL COMPETENCY TO PRACTICE PSYCHOTHERAPY
10 IN COLORADO.

11 (b) ON OR BEFORE MARCH 1, 2020, THE BOARD SHALL ADOPT
12 RULES ESTABLISHING A CONTINUING PROFESSIONAL COMPETENCY
13 PROGRAM THAT INCLUDES, AT A MINIMUM, THE FOLLOWING ELEMENTS:

14 (I) A SELF-ASSESSMENT OF THE KNOWLEDGE AND SKILLS OF A
15 REGISTERED PSYCHOTHERAPIST SEEKING TO RENEW OR REINSTATE
16 REGISTRATION;

17 (II) DEVELOPMENT, EXECUTION, AND DOCUMENTATION OF A
18 LEARNING PLAN BASED ON THE SELF-ASSESSMENT; AND

19 (III) PERIODIC DEMONSTRATION OF KNOWLEDGE AND SKILLS
20 THROUGH DOCUMENTATION OF ACTIVITIES NECESSARY TO ENSURE AT

1 LEAST MINIMAL ABILITY TO SAFELY PRACTICE PSYCHOTHERAPY. NOTHING
2 IN THIS SUBSECTION (1)(b)(III) REQUIRES A REGISTERED
3 PSYCHOTHERAPIST TO RETAKE ANY EXAMINATION REQUIRED PURSUANT
4 TO SECTION 12-43-702.5 (4) IN CONNECTION WITH INITIAL REGISTRATION.

5 (c) A REGISTERED PSYCHOTHERAPIST SATISFIES THE CONTINUING
6 COMPETENCY REQUIREMENTS OF THIS SECTION IF THE REGISTERED
7 PSYCHOTHERAPIST MEETS THE CONTINUING PROFESSIONAL COMPETENCY
8 REQUIREMENTS OF ONE OF THE FOLLOWING ENTITIES:

9 (I) A STATE DEPARTMENT, INCLUDING CONTINUING PROFESSIONAL
10 COMPETENCY REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
11 ARRANGEMENT WITH A THIRD-PARTY PROVIDER;

12 (II) AN ACCREDITING BODY RECOGNIZED BY THE BOARD; OR

13 (III) AN ENTITY APPROVED BY THE BOARD.

14 (d) (I) AFTER THE BOARD ESTABLISHES A PROGRAM PURSUANT TO
15 THIS SUBSECTION (1), A REGISTERED PSYCHOTHERAPIST SHALL SATISFY
16 THE REQUIREMENTS OF THE PROGRAM IN ORDER TO RENEW OR REINSTATE
17 REGISTRATION TO PRACTICE PSYCHOTHERAPY IN COLORADO.

18 (II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
19 PSYCHOTHERAPISTS WHO ARE REGISTERED PURSUANT TO SECTION
20 12-43-702.5. NOTHING IN THIS SECTION REQUIRES A PERSON THAT
21 EMPLOYS OR CONTRACTS WITH A REGISTERED PSYCHOTHERAPIST TO
22 COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

23 (2) (a) RECORDS OF ASSESSMENTS OR OTHER DOCUMENTATION
24 DEVELOPED OR SUBMITTED IN CONNECTION WITH THE CONTINUING
25 PROFESSIONAL COMPETENCY PROGRAM ESTABLISHED BY THE BOARD ARE
26 CONFIDENTIAL AND NOT SUBJECT TO INSPECTION BY THE PUBLIC OR
27 DISCOVERY IN CONNECTION WITH A CIVIL ACTION AGAINST A REGISTERED

1 PSYCHOTHERAPIST. THE BOARD SHALL USE THE RECORDS OR DOCUMENTS
2 ONLY FOR PURPOSES OF DETERMINING WHETHER A REGISTERED
3 PSYCHOTHERAPIST IS MAINTAINING CONTINUING PROFESSIONAL
4 COMPETENCY TO PRACTICE PSYCHOTHERAPY.

5 (b) SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS
6 SECTION, THIS SECTION DOES NOT RESTRICT THE DISCOVERY OF
7 INFORMATION OR DOCUMENTS THAT ARE OTHERWISE DISCOVERABLE
8 UNDER THE COLORADO RULES OF CIVIL PROCEDURE IN CONNECTION WITH
9 A CIVIL ACTION AGAINST A REGISTERED PSYCHOTHERAPIST.

10 (3) AS USED IN THIS SECTION, "CONTINUING PROFESSIONAL
11 COMPETENCY" MEANS THE ONGOING ABILITY OF A REGISTERED
12 PSYCHOTHERAPIST TO LEARN, INTEGRATE, AND APPLY THE KNOWLEDGE,
13 SKILL, AND JUDGMENT TO PRACTICE AS A PSYCHOTHERAPIST ACCORDING
14 TO GENERALLY ACCEPTED INDUSTRY STANDARDS AND PROFESSIONAL
15 ETHICAL STANDARDS IN A DESIGNATED ROLE AND SETTING.

16 **SECTION 2.** In Colorado Revised Statutes, 12-43-212, **amend**
17 (2) as follows:

18 **12-43-212. Denial of license, registration, or certification -**
19 **reinstatement.** (2) If a board determines that an applicant does not
20 possess the applicable qualifications required by this ~~article~~ ARTICLE 43
21 or, for a licensed clinical social worker, licensed social worker, licensed
22 marriage and family therapist, licensed professional counselor,
23 REGISTERED PSYCHOTHERAPIST, OR licensed addiction counselor or level
24 II or III certified addiction counselor, is unable to demonstrate his or her
25 continued professional competence as required by section 12-43-411,
26 12-43-506, 12-43-605, **12-43-713**, or 12-43-805, respectively, the board
27 may deny the applicant a license, registration, or certification or deny the

1 reinstatement of a license, registration, or certification. If the application
2 is denied, the board shall provide the applicant with a statement in writing
3 setting forth the basis of the board's determination that the applicant does
4 not possess the qualifications or professional competence required by this
5 ~~article~~ ARTICLE 43. The applicant may request a hearing on the
6 determination as provided in section 24-4-104 (9). ~~C.R.S.~~

7 **SECTION 3. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.