



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**HB 19-1019**

# FINAL FISCAL NOTE

<b>Drafting Number:</b>	LLS 19-0383	<b>Date:</b>	May 31, 2019
<b>Prime Sponsors:</b>	Rep. Coleman Sen. Williams A.	<b>Bill Status:</b>	Lost in House
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**Bill Topic:** PSYCHOTHERAPISTS CONTINUING COMPETENCY REQUIREMENTS

**Summary of Fiscal Impact:**

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure ( <i>minimal</i> )	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill would have created continuing competency requirements for registered psychotherapists. This bill would have minimally increased state agency workload on an ongoing basis beginning in FY 2018-19.

**Appropriation Summary:** No appropriation required.

**Fiscal Note Status:** This fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

## Summary of Legislation

The bill establishes continuing professional competency requirements for registered psychotherapists. On or before March 1, 2020, the Board of Registered Psychotherapists (board) in the Department of Regulatory Agencies (DORA) must adopt rules to establish a continuing professional competency program, including a self-assessment, a learning plan based on the self-assessment, and periodic demonstrations of knowledge and skills. Registered psychotherapists satisfy the requirements if he or she meets the requirements of a state department; an accreditation body recognized by the board; or an entity approved by the board. The board may deny the registration of a psychotherapist if competency requirements are not met.

## Background

Under current law, 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, may have his or her license, registration, or certification denied by the respective board if he or she cannot demonstrate his or her continued professional competence. This bill aligns competency requirements for psychotherapists with the requirements for the other professions.

**State Expenditures**

Starting in the current FY 2018-19, state workload will increase to various state agencies, as described below.

**Professional competency requirements.** Starting in the current FY 2018-19, workload to the board will increase to establish continuing professional competency requirements for registered psychotherapists. The board will also conduct rulemaking and outreach to notify registered psychotherapists about the new requirements. The fiscal note expects that the program will mirror other continuing professional competency requirements programs and therefore, the increased workload can be accomplished within existing appropriations.

**Complaints and appeals.** If the new requirements result in an increase in complaints related to registration denials, the workload for the Division of Professions and Occupation in DORA will increase beginning in FY 2019-20. Additionally, to the extent that applicants appeal a denied registration to the Office of Administrative Courts in the Department of Personnel and Administration (DPA) or to the civil courts, workload in the DPA and the Judicial Department will increase. The expected increase in workload is expected to be minimal and can be accomplished within existing appropriations.

**Effective Date**

The bill was lost on third reading in the House of Representatives on February 15, 2019.

**State and Local Government Contacts**

Corrections  
Judicial  
Regulatory Agencies

Human Services  
Law

Information Technology  
Personnel