

CHAPTER 284

**PROFESSIONS AND OCCUPATIONS**

SENATE BILL 93-259

BY SENATORS Rizzuto, Bird, and Traylor;  
also REPRESENTATIVES Owen, Gramsas, and Romero.

**AN ACT**

**CONCERNING THE PEER HEALTH ASSISTANCE PROGRAMS FOR CERTAIN LICENSED INDIVIDUALS WHO PERFORM HEALTH-RELATED SERVICES.**

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

**SECTION 1.** 12-22-601, Colorado Revised Statutes, 1991 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**12-22-601. Legislative declaration.** (3) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT EFFECTIVE JULY 1, 1994, THE PHARMACY PEER HEALTH ASSISTANCE FUND SHALL BE TERMINATED, THE BALANCE OF MONEYS IN THE FUND SHALL BE TRANSFERRED PRIOR TO JUNE 30, 1994, TO AN ADMINISTERING ENTITY SELECTED BY THE BOARD, WHICH ENTITY SHALL ADMINISTER THE PROGRAMS OF BOARD SELECTED DESIGNATED PROVIDERS, AND THAT THE FISCAL YEAR BEGINNING JULY 1, 1993, SHALL BE USED BY THE DEPARTMENT OF REGULATORY AGENCIES AS A TRANSITION YEAR TO PLAN FOR THE TRANSFER OF RESPONSIBILITIES FOR SUCH PROGRAMS.

**SECTION 2.** 12-22-602 (1), Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended, and the said 12-22-602 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**12-22-602. Definitions.** As used in this part 6, unless the context otherwise requires:

(1) "~~Committee~~" means ~~the rehabilitation evaluation committee which is appointed by the board to carry out specified duties pursuant to section 12-22-606~~ "BOARD" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 12-22-102 (4).

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

(1.5) "COMMITTEE" MEANS THE REHABILITATION EVALUATION COMMITTEE WHICH IS APPOINTED BY THE BOARD TO CARRY OUT SPECIFIED DUTIES PURSUANT TO SECTION 12-22-606.

**SECTION 3.** 12-22-603, Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

**12-22-603. Pharmacy peer health assistance fund.** (1) (a) There is hereby created in the state treasury the pharmacy peer health assistance fund. The fund shall consist of moneys collected by the board and required to be credited to the fund pursuant to subsection (3) of this section. Any interest earned on the investment of moneys in the fund shall be credited at least annually to said fund.

(b) PRIOR TO JUNE 30, 1994, THE BOARD SHALL TRANSFER THE BALANCE IN THE FUND, IF ANY, TO THE ADMINISTERING ENTITY CHOSEN BY THE BOARD PURSUANT TO PARAGRAPHS (d) AND (e) OF SUBSECTION (3) OF THIS SECTION, AND THE BOARD SHALL PERFORM THE DUTIES AND RESPONSIBILITIES OF THE REHABILITATION EVALUATION COMMITTEE, AS DESCRIBED IN SECTION 12-22-606 AS SAID SECTION EXISTED PRIOR TO JULY 1, 1994.

(2) (a) It is the intent of the general assembly that the entire cost of administration of the pharmacy peer health assistance diversion program, including reimbursements to committee members pursuant to section 12-22-606 (3), shall be borne by fees assessed by the board and paid by licensees; except that certain costs may be borne by individual participants as provided in section 12-22-604 (3). No moneys shall be appropriated from the general fund for payment of any expenses incurred under this section, and no such expenses of this program shall be charged against the state. Moneys in the fund shall be subject to annual appropriation by the general assembly to the board to be used for the purposes described in this section.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JUNE 30, 1994.

(3) (a) (I) Any licensee, when applying for or renewing a license, shall pay an additional fee to be determined and collected pursuant to section 24-34-105, C.R.S., not to exceed twenty-five dollars biennially. The additional fees collected pursuant to this subsection (3) shall be transmitted to the state treasurer, who shall credit the same to the pharmacy peer health assistance fund. The fees shall be used by the board only to administer the pharmacy peer health assistance diversion program pursuant to this part 6.

(II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JUNE 30, 1994.

(b) EFFECTIVE JULY 1, 1994, AS A CONDITION OF LICENSURE IN THIS STATE, EVERY APPLICANT SHALL PAY TO THE ADMINISTERING ENTITY THAT HAS BEEN SELECTED BY THE BOARD PURSUANT TO THE PROVISIONS OF PARAGRAPHS (d) AND (e) OF THIS SUBSECTION (3) AN AMOUNT SET BY THE BOARD NOT TO EXCEED TWENTY-EIGHT DOLLARS PER YEAR, WHICH AMOUNT SHALL BE USED TO SUPPORT DESIGNATED PROVIDERS THAT HAVE BEEN SELECTED BY THE BOARD TO PROVIDE ASSISTANCE TO PHARMACISTS NEEDING HELP IN DEALING WITH PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL PROBLEMS WHICH MAY BE DETRIMENTAL TO THEIR ABILITY TO

## PRACTICE.

(c) THE BOARD SHALL SELECT ONE OR MORE PEER HEALTH ASSISTANCE ORGANIZATIONS AS DESIGNATED PROVIDERS. TO BE ELIGIBLE FOR DESIGNATION BY THE BOARD A PEER HEALTH ASSISTANCE PROGRAM SHALL:

(I) PROVIDE FOR THE EDUCATION OF PHARMACISTS WITH RESPECT TO THE RECOGNITION AND PREVENTION OF PHYSICAL, EMOTIONAL, AND PSYCHOLOGICAL PROBLEMS AND PROVIDE FOR INTERVENTION WHEN NECESSARY OR UNDER CIRCUMSTANCES WHICH MAY BE ESTABLISHED BY RULES PROMULGATED BY THE BOARD;

(II) OFFER ASSISTANCE TO A PHARMACIST IN IDENTIFYING PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL PROBLEMS;

(III) EVALUATE THE EXTENT OF PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL PROBLEMS AND REFER THE PHARMACIST FOR APPROPRIATE TREATMENT;

(IV) MONITOR THE STATUS OF A PHARMACIST WHO HAS BEEN REFERRED FOR TREATMENT;

(V) PROVIDE COUNSELING AND SUPPORT FOR THE PHARMACIST AND FOR THE FAMILY OF ANY PHARMACIST REFERRED FOR TREATMENT;

(VI) AGREE TO RECEIVE REFERRALS FROM THE BOARD;

(VII) AGREE TO MAKE THEIR SERVICES AVAILABLE TO ALL LICENSED COLORADO PHARMACISTS.

(d) THE ADMINISTERING ENTITY SHALL BE A QUALIFIED, NONPROFIT, PRIVATE FOUNDATION THAT IS QUALIFIED UNDER SECTION 501 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND SHALL BE DEDICATED TO PROVIDING SUPPORT FOR CHARITABLE, BENEVOLENT, EDUCATIONAL, AND SCIENTIFIC PURPOSES THAT ARE RELATED TO PHARMACEUTICAL EDUCATION, PHARMACEUTICAL RESEARCH AND SCIENCE, AND OTHER PHARMACEUTICAL CHARITABLE PURPOSES.

(e) THE RESPONSIBILITIES OF THE ADMINISTERING ENTITY SHALL BE:

(I) TO COLLECT THE REQUIRED ANNUAL PAYMENTS;

(II) TO VERIFY TO THE BOARD, IN A MANNER ACCEPTABLE TO THE BOARD, THE NAMES OF ALL PHARMACIST APPLICANTS WHO HAVE PAID THE FEE SET BY THE BOARD;

(III) TO DISTRIBUTE THE MONEYS COLLECTED, LESS EXPENSES, TO THE DESIGNATED PROVIDER, AS DIRECTED BY THE BOARD;

(IV) TO PROVIDE AN ANNUAL ACCOUNTING TO THE BOARD OF ALL AMOUNTS COLLECTED, EXPENSES INCURRED, AND AMOUNTS DISBURSED; AND

(V) TO POST A SURETY PERFORMANCE BOND IN AN AMOUNT SPECIFIED BY THE BOARD TO SECURE PERFORMANCE UNDER THE REQUIREMENTS OF THIS SECTION. THE

ADMINISTERING ENTITY MAY RECOVER THE ACTUAL ADMINISTRATIVE COSTS INCURRED IN PERFORMING ITS DUTIES UNDER THIS SECTION IN AN AMOUNT NOT TO EXCEED TEN PERCENT OF THE TOTAL AMOUNT COLLECTED.

**SECTION 4.** 12-22-604, Colorado Revised Statutes, 1991 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**12-22-604. Eligibility for awards - pharmacy peer health assistance organization.** (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 1994.

**SECTION 5.** 12-22-606, Colorado Revised Statutes, 1991 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**12-22-606. Rehabilitation evaluation committee - created.** (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 1994.

**SECTION 6.** 12-35-102, Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

**12-35-102. Legislative declaration.** (1) The practice of dentistry and dental hygiene in this state is declared to affect the public health, safety, and welfare and to be subject to regulation and control in the public interest. It is further declared to be a matter of public interest and concern that the dental profession merit and receive the confidence of the public and that only qualified dentists and dental hygienists be permitted to practice dentistry or dental hygiene in this state. It is the purpose of this law to promote the public health, safety, and welfare by regulating the practice of dentistry and dental hygiene and to ~~insure~~ ENSURE that no one shall practice dentistry or dental hygiene without qualifying under this article. The provisions of this article relating to licensure by credentials are not intended to reduce competition or restrain trade with respect to the oral health needs of the public. All provisions of this article relating to the practice of dentistry and dental hygiene shall be liberally construed to carry out these objects and purposes.

(2) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT EFFECTIVE JULY 1, 1994, THE DENTIST PEER HEALTH ASSISTANCE FUND SHALL BE TERMINATED, THE BALANCE OF MONEYS IN THE FUND SHALL BE TRANSFERRED PRIOR TO JUNE 30, 1994, TO AN ADMINISTERING ENTITY SELECTED BY THE BOARD, WHICH ENTITY SHALL ADMINISTER THE PROGRAMS OF BOARD SELECTED DESIGNATED PROVIDERS, AND THAT THE FISCAL YEAR BEGINNING JULY 1, 1993, SHALL BE USED BY THE DEPARTMENT OF REGULATORY AGENCIES AS A TRANSITION YEAR TO PLAN FOR THE TRANSFER OF RESPONSIBILITIES FOR SUCH PROGRAM.

**SECTION 7.** The introductory portion to 12-35-113 (1), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

**12-35-113. Application for license - fee.** (1) Every person not currently holding a license to practice dentistry in this state who desires to practice dentistry in this state shall file with the secretary of the board an application for a license on a form to be provided by the board, verified by the oath of the applicant, and accompanied by a fee REQUIRED BY SECTION 12-35-123.5 (2) (b) OR established pursuant to section 24-34-105, C.R.S., in which application it shall appear that the applicant:

**SECTION 8.** 12-35-116 (1), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

**12-35-116. Renewal of license - fees.** (1) On or before the first day of the month designated pursuant to rules and regulations promulgated by the board, every dentist licensed to practice dentistry in this state shall transmit to the secretary of the board, upon a form prescribed by the board, his signature, post-office address, office address, the number of his license certificate, and such other pertinent information as may be requested, together with a fee REQUIRED BY SECTION 12-35-123.5 (2) (b) OR established pursuant to section 24-34-105, C.R.S., and all fees then in arrears, and shall receive therefor a renewal certificate authorizing him to continue the practice of dentistry in this state. The board shall establish renewal fees and schedules subject to the provisions of section 24-34-102 (8), C.R.S.

**SECTION 9.** 12-35-123.5 (1), (2), and (9), Colorado Revised Statutes, 1991 Repl. Vol., are amended to read:

**12-35-123.5. Dentist peer health assistance fund - repeal of section.** (1) (a) There is hereby created in the state treasury the dentist peer health assistance fund. The fund shall consist of moneys required to be credited to the fund pursuant to subsection (2) of this section and all interest earned on the investment of moneys in the fund. Any interest earned on investment of moneys in the dentist peer health assistance fund shall be credited at least annually to said fund. No moneys shall be appropriated from the general fund for payment of any expenses incurred under this section, and no such expenses shall be charged against the state. Moneys in the fund shall be subject to annual appropriation by the general assembly to the board to be used for the purposes described in subsection (3) of this section.

(b) PRIOR TO JUNE 30, 1994, THE BOARD SHALL TRANSFER THE BALANCE IN THE FUND, IF ANY, TO THE ADMINISTERING ENTITY CHOSEN BY THE BOARD PURSUANT TO PARAGRAPHS (d) AND (e) OF SUBSECTION (2) OF THIS SECTION, AND THE BOARD SHALL PERFORM THE DUTIES AND RESPONSIBILITIES OF THE REHABILITATION EVALUATION COMMITTEE, AS DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (6) OF THIS SECTION, AS SAID PROVISION EXISTED PRIOR TO JULY 1, 1994.

(2) (a) When renewing a license pursuant to this article in the year 1990 or 1991, each dentist licensee shall pay, in addition to the biennial license renewal fee, an additional fee of thirty dollars. For license renewals in the year 1992 and in each year thereafter, such additional fee shall be paid biennially and shall be in an amount determined by the board but shall not exceed thirty dollars. The additional fees collected pursuant to this subsection (2) shall be transmitted to the state treasurer, who shall credit the same to the dentist peer health assistance fund.

(b) EFFECTIVE JULY 1, 1994, AS A CONDITION OF LICENSURE IN THIS STATE, EVERY APPLICANT SHALL PAY TO THE ADMINISTERING ENTITY THAT HAS BEEN SELECTED BY THE BOARD PURSUANT TO THE PROVISIONS OF PARAGRAPH (e) OF THIS SUBSECTION (2) AN AMOUNT NOT TO EXCEED TWENTY-EIGHT DOLLARS PER YEAR, WHICH AMOUNT SHALL BE USED TO SUPPORT DESIGNATED PROVIDERS THAT HAVE BEEN SELECTED BY THE BOARD TO PROVIDE ASSISTANCE TO DENTISTS NEEDING HELP IN DEALING WITH PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL PROBLEMS WHICH MAY BE DETRIMENTAL TO THEIR ABILITY TO PRACTICE DENTISTRY.

(c) THE BOARD SHALL SELECT ONE OR MORE PEER HEALTH ASSISTANCE PROGRAMS AS DESIGNATED PROVIDERS. TO BE ELIGIBLE FOR DESIGNATION BY THE BOARD A PEER HEALTH ASSISTANCE PROGRAM SHALL:

(I) PROVIDE FOR THE EDUCATION OF DENTISTS WITH RESPECT TO THE RECOGNITION AND PREVENTION OF PHYSICAL, EMOTIONAL, AND PSYCHOLOGICAL PROBLEMS AND PROVIDE FOR INTERVENTION WHEN NECESSARY OR UNDER CIRCUMSTANCES WHICH MAY BE ESTABLISHED BY RULES PROMULGATED BY THE BOARD;

(II) OFFER ASSISTANCE TO A DENTIST IN IDENTIFYING PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL PROBLEMS;

(III) EVALUATE THE EXTENT OF PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL PROBLEMS AND REFER THE DENTIST FOR APPROPRIATE TREATMENT;

(IV) MONITOR THE STATUS OF A DENTIST WHO HAS BEEN REFERRED FOR TREATMENT;

(V) PROVIDE COUNSELING AND SUPPORT FOR THE DENTIST AND FOR THE FAMILY OF ANY DENTIST REFERRED FOR TREATMENT;

(VI) AGREE TO RECEIVE REFERRALS FROM THE BOARD;

(VII) AGREE TO MAKE THEIR SERVICES AVAILABLE TO ALL LICENSED COLORADO DENTISTS.

(d) THE ADMINISTERING ENTITY SHALL BE A QUALIFIED, NONPROFIT PRIVATE FOUNDATION THAT IS QUALIFIED UNDER SECTION 501 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND SHALL BE DEDICATED TO PROVIDING SUPPORT FOR CHARITABLE, BENEVOLENT, EDUCATIONAL, AND SCIENTIFIC PURPOSES THAT ARE RELATED TO DENTISTRY, DENTAL EDUCATION, DENTAL RESEARCH AND SCIENCE, AND OTHER DENTAL CHARITABLE PURPOSES.

(e) THE RESPONSIBILITIES OF THE ADMINISTERING ENTITY SHALL BE:

(I) TO COLLECT THE REQUIRED ANNUAL PAYMENTS;

(II) To verify to the board, in a manner acceptable to the board, the names of all dentist applicants who have PAID THE FEE SET BY THE BOARD;

(III) TO DISTRIBUTE THE MONEYS COLLECTED, LESS EXPENSES, TO THE DESIGNATED PROVIDER, AS DIRECTED BY THE BOARD;

(IV) TO PROVIDE AN ANNUAL ACCOUNTING TO THE BOARD OF ALL AMOUNTS COLLECTED, EXPENSES INCURRED, AND AMOUNTS DISBURSED; AND

(V) TO POST A SURETY PERFORMANCE BOND IN AN AMOUNT SPECIFIED BY THE BOARD TO SECURE PERFORMANCE UNDER THE REQUIREMENTS OF THIS SECTION. THE ADMINISTERING ENTITY MAY RECOVER THE ACTUAL ADMINISTRATIVE COSTS INCURRED IN PERFORMING ITS DUTIES UNDER THIS SECTION IN AN AMOUNT NOT TO EXCEED TEN PERCENT OF THE TOTAL AMOUNT COLLECTED.

(9) ~~This section is~~ SUBSECTIONS (1) (a), (2) (a), (3), (4), AND (6) OF THIS SECTION AND THIS SUBSECTION (9) ARE repealed, EFFECTIVE June 30, 1994.

**SECTION 10.** 12-36-102, Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended to read:

**12-36-102. Legislative declaration.** (1) The general assembly declares it to be in the interests of public health, safety, and welfare to enact laws regulating and controlling the practice of the healing arts to the end that the people shall be properly protected against unauthorized, unqualified, and improper practice of the healing arts in this state, and this article shall be construed in conformity with this declaration of purpose.

(2) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT EFFECTIVE JULY 1, 1994, THE PHYSICIANS' PEER HEALTH ASSISTANCE FUND SHALL BE TERMINATED, THE BALANCE OF MONEYS IN THE FUND SHALL BE TRANSFERRED PRIOR TO JUNE 30, 1994, TO AN ADMINISTERING ENTITY SELECTED BY THE BOARD, WHICH ENTITY SHALL ADMINISTER THE PROGRAMS OF BOARD SELECTED DESIGNATED PROVIDERS, AND THAT THE FISCAL YEAR BEGINNING JULY 1, 1993, SHALL BE USED BY THE DEPARTMENT OF REGULATORY AGENCIES AS A TRANSITION YEAR TO PLAN FOR THE TRANSFER OF RESPONSIBILITIES FOR SUCH PROGRAM.

**SECTION 11.** 12-36-112, Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

**12-36-112. License fee.** An applicant for a license to practice medicine shall pay a fee to be determined and collected pursuant to section 12-36-123.5 (2) (b) OR ESTABLISHED PURSUANT TO SECTION 24-34-105, C.R.S.

**SECTION 12.** 12-36-123.5 (1), Colorado Revised Statutes, 1991 Repl. Vol., is amended, and the said 12-36-123.5 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**12-36-123.5. Physicians' peer health assistance fund.** (1) (a) There is hereby created in the state treasury the physicians' peer health assistance fund. The fund shall consist of moneys required to be credited to the fund pursuant to subsection (2) of this section and all interest earned on the investment of moneys in the fund. Any interest earned on investment of moneys in the physicians' peer health assistance fund shall be credited at least annually to said fund. No moneys shall be appropriated from the general fund for payment of any expenses incurred under this section, and no such expenses shall be charged against the state. Moneys in the fund shall be subject to annual appropriation by the general assembly to the board to be used for the purposes described in subsection (3) of this section.

(b) PRIOR TO JUNE 30, 1994, THE BOARD SHALL TRANSFER THE BALANCE IN THE FUND, IF ANY, TO THE ADMINISTERING ENTITY CHOSEN BY THE BOARD PURSUANT TO SUBSECTION (3.5) OF THIS SECTION.

(3.5) (a) NO LATER THAN JUNE 30, 1994, THE BOARD SHALL TRANSFER THE BALANCE IN THE FUND, IF ANY, TO THE ADMINISTERING ENTITY CHOSEN BY THE BOARD PURSUANT TO PARAGRAPHS (d) AND (e) OF THIS SUBSECTION (3.5).

(b) EFFECTIVE JULY 1, 1994, AS A CONDITION OF LICENSURE IN THIS STATE, EVERY APPLICANT SHALL PAY TO THE ADMINISTERING ENTITY THAT HAS BEEN SELECTED BY THE BOARD PURSUANT TO THE PROVISIONS OF PARAGRAPHS (d) AND (e) OF THIS SUBSECTION (3.5) AN AMOUNT SET BY THE BOARD NOT TO EXCEED TWENTY-EIGHT DOLLARS PER YEAR, WHICH AMOUNT SHALL BE USED TO SUPPORT DESIGNATED PROVIDERS THAT HAVE BEEN SELECTED BY THE BOARD TO PROVIDE ASSISTANCE TO PHYSICIANS NEEDING HELP IN DEALING WITH PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL PROBLEMS WHICH MAY BE DETRIMENTAL TO THEIR ABILITY TO PRACTICE MEDICINE.

(c) THE BOARD SHALL SELECT ONE OR MORE PEER HEALTH ASSISTANCE PROGRAMS AS DESIGNATED PROVIDERS. TO BE ELIGIBLE FOR DESIGNATION BY THE BOARD A PEER HEALTH ASSISTANCE PROGRAM SHALL:

(I) PROVIDE FOR THE EDUCATION OF PHYSICIANS WITH RESPECT TO THE RECOGNITION AND PREVENTION OF PHYSICAL, EMOTIONAL, AND PSYCHOLOGICAL PROBLEMS AND PROVIDE FOR INTERVENTION WHEN NECESSARY OR UNDER CIRCUMSTANCES WHICH MAY BE ESTABLISHED BY RULES PROMULGATED BY THE BOARD;

(II) OFFER ASSISTANCE TO A PHYSICIAN IN IDENTIFYING PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL PROBLEMS;

(III) EVALUATE THE EXTENT OF PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL PROBLEMS AND REFER THE PHYSICIAN FOR APPROPRIATE TREATMENT;

(IV) MONITOR THE STATUS OF A PHYSICIAN WHO HAS BEEN REFERRED FOR TREATMENT;

(V) PROVIDE COUNSELING AND SUPPORT FOR THE PHYSICIAN AND FOR THE FAMILY OF ANY PHYSICIAN REFERRED FOR TREATMENT;

(VI) AGREE TO RECEIVE REFERRALS FROM THE BOARD;

(VII) AGREE TO MAKE THEIR SERVICES AVAILABLE TO ALL LICENSED COLORADO PHYSICIANS.

(d) THE ADMINISTERING ENTITY SHALL BE A QUALIFIED, NONPROFIT PRIVATE FOUNDATION THAT IS QUALIFIED UNDER SECTION 501 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND SHALL BE DEDICATED TO PROVIDING SUPPORT FOR CHARITABLE, BENEVOLENT, EDUCATIONAL, AND SCIENTIFIC PURPOSES THAT ARE RELATED TO MEDICINE, MEDICAL EDUCATION, MEDICAL RESEARCH AND SCIENCE, AND OTHER MEDICAL CHARITABLE PURPOSES.

(e) THE RESPONSIBILITIES OF THE ADMINISTERING ENTITY SHALL BE:

(I) TO COLLECT THE REQUIRED ANNUAL PAYMENTS;

(II) TO VERIFY TO THE BOARD, IN A MANNER ACCEPTABLE TO THE BOARD, THE NAMES OF ALL PHYSICIAN APPLICANTS WHO HAVE PAID THE FEE SET BY THE BOARD;

(III) TO DISTRIBUTE THE MONEYS COLLECTED, LESS EXPENSES, TO THE APPROVED DESIGNATED PROVIDER, AS DIRECTED BY THE BOARD;

(IV) TO PROVIDE AN ANNUAL ACCOUNTING TO THE BOARD OF ALL AMOUNTS COLLECTED, EXPENSES INCURRED, AND AMOUNTS DISBURSED; AND

(V) TO POST A SURETY PERFORMANCE BOND IN AN AMOUNT SPECIFIED BY THE BOARD TO SECURE PERFORMANCE UNDER THE REQUIREMENTS OF THIS SECTION. THE ADMINISTERING ENTITY MAY RECOVER THE ACTUAL ADMINISTRATIVE COSTS INCURRED IN PERFORMING ITS DUTIES UNDER THIS SECTION IN AN AMOUNT NOT TO EXCEED TEN PERCENT OF THE TOTAL AMOUNT COLLECTED.

(6) SUBSECTIONS (1), (2), AND (3) OF THIS SECTION AND THIS SUBSECTION (6) ARE REPEALED, EFFECTIVE JUNE 30, 1994.

**SECTION 13. Effective date.** This act shall take effect July 1, 1993.

**SECTION 14. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 6, 1993