

## CHAPTER 291

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**PROFESSIONS AND OCCUPATIONS**

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**HOUSE BILL 94-1219**

BY REPRESENTATIVES Martin, Berry, May, Epps, Grampsas, Morrison, Ratterree, Anderson, and Williams;  
also SENATORS Hopper, Gallagher, Mares, and Tebedo.

**AN ACT**

**CONCERNING A COMPREHENSIVE REVIEW BY A PROFESSIONAL REVIEW COMMITTEE OF THE  
QUALITY OF A PATIENT'S CARE.**

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

**SECTION 1.** Part 1 of article 36.5 of title 12, Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**12-36.5-104.4. Hospital professional review committees.** (1) THE QUALITY AND APPROPRIATENESS OF PATIENT CARE RENDERED BY PHYSICIANS AND OTHER LICENSED HEALTH CARE PROFESSIONALS SO INFLUENCE THE TOTAL QUALITY OF PATIENT CARE THAT A REVIEW OF CARE PROVIDED IN A HOSPITAL IS INEFFECTIVE WITHOUT CONCOMITANTLY REVIEWING OVERALL QUALITY AND APPROPRIATENESS OF CARE RENDERED BY PHYSICIANS AND OTHER LICENSED HEALTH CARE PROFESSIONALS.

(2) (a) (I) WHENEVER A PROFESSIONAL REVIEW COMMITTEE CREATED PURSUANT TO SECTION 12-36.5-104 REASONABLY BELIEVES THAT THE QUALITY OR APPROPRIATENESS OF CARE PROVIDED BY OTHER LICENSED HEALTH CARE PROFESSIONALS MAY HAVE ADVERSELY AFFECTED THE OUTCOME OF PATIENT CARE, THE PROFESSIONAL REVIEW COMMITTEE SHALL:

(A) REFER THE MATTER TO A HOSPITAL COMMITTEE CREATED PURSUANT TO SECTION 25-3-109, C.R.S.; OR

(B) CONSULT WITH A REPRESENTATIVE OF THE OTHER LICENSED HEALTH CARE PROFESSIONAL'S PROFESSION.

(II) A PROFESSIONAL REVIEW COMMITTEE ESTABLISHED PURSUANT TO THIS

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

ARTICLE MAY MEET AND ACT IN COLLABORATION WITH A COMMITTEE ESTABLISHED PURSUANT TO SECTION 25-3-109, C.R.S.

(b) ALL MATTERS CONSIDERED IN COLLABORATION WITH OR REFERRED TO A COMMITTEE PURSUANT TO THIS SUBSECTION (2) AND ALL RECORDS AND PROCEEDINGS RELATED THERETO SHALL REMAIN CONFIDENTIAL AND THE COMMITTEE MEMBERS, GOVERNING BOARD, WITNESSES, AND COMPLAINANTS SHALL BE SUBJECT TO THE IMMUNITIES AND PRIVILEGES AS SET FORTH IN THIS ARTICLE.

(3) NOTHING IN THIS SECTION SHALL BE DEEMED TO EXTEND THE AUTHORITY OR JURISDICTION OF THE BOARD OF MEDICAL EXAMINERS TO ANY INDIVIDUAL NOT OTHERWISE SUBJECT TO THE JURISDICTION OF THE BOARD.

**SECTION 2. 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: May 31, 1994