

CHAPTER 89

**PROFESSIONS AND OCCUPATIONS**

**HOUSE BILL 97-1183**

BY REPRESENTATIVES Tupa, Paschall, K. Alexander, Bacon, G. Berry, Gotlieb, Grossman, Keller, Lamborn, Leyba, Mace, Morrison, Owen, Pfiffner, Saliman, Smith, Sullivant, Tate, Taylor, Udall, and Young; also SENATORS Bishop, Congrove, Hernandez, Linkhart, Powers, Rupert, and Weddig.

**AN ACT**

CONCERNING ACCESS TO HEALTH CARE OPTIONS.

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

**SECTION 1.** 12-36-117, Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**12-36-117. Unprofessional conduct.** (3) (a) FOR PURPOSES OF THIS SECTION, "ALTERNATIVE MEDICINE" MEANS THOSE HEALTH CARE METHODS OF DIAGNOSIS, TREATMENT, OR HEALING THAT ARE NOT GENERALLY USED BUT THAT PROVIDE A REASONABLE POTENTIAL FOR THERAPEUTIC GAIN IN A PATIENT'S MEDICAL CONDITION THAT IS NOT OUTWEIGHED BY THE RISK OF SUCH METHODS. A PHYSICIAN WHO PRACTICES ALTERNATIVE MEDICINE SHALL INFORM EACH PATIENT IN WRITING DURING THE INITIAL PATIENT CONTACT OF SUCH PHYSICIAN'S EDUCATION, EXPERIENCE, AND CREDENTIALS RELATED TO THE ALTERNATIVE MEDICINE PRACTICED BY SUCH PHYSICIAN. THE BOARD SHALL NOT TAKE DISCIPLINARY ACTION AGAINST A PHYSICIAN SOLELY ON THE GROUNDS THAT SUCH PHYSICIAN PRACTICES ALTERNATIVE MEDICINE.

(b) NOTHING IN PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL BE CONSTRUED TO PREVENT DISCIPLINARY ACTION AGAINST A PHYSICIAN FOR PRACTICING MEDICINE IN VIOLATION OF THIS ARTICLE.

**SECTION 2. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

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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.*

**SECTION 3. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 16, 1997