

CHAPTER 63

PROFESSIONS AND OCCUPATIONS

SENATE BILL 99-019

BY SENATORS Tebedo, Andrews, Chlouber, Congrove, Evans, Hernandez, Lamborn, Martinez, Musgrave, Reeves, Rupert, Teck, Wattenberg, Weddig, and Wham;

also REPRESENTATIVES Pfiffner, Alexander, Allen, Bacon, Chavez, Coleman, Dean, Fairbank, Gagliardi, George, Gordon, Gottlieb, Hefley, Kester, Larson, Lee, Leyba, Mace, McKay, Miller, Morrison, Scott, Sinclair, Smith, Spence, Spradley, Tapia, Tool, Tupa, Vigil, Witwer, and Young.

AN ACT

CONCERNING THE LIMITED LICENSURE OF PHYSICIANS AFFILIATED WITH A SHRINERS HOSPITAL FOR CHILDREN FOR THE SOLE PURPOSE OF EVALUATION AND TREATMENT OF PATIENTS OF A SHRINERS HOSPITAL FOR CHILDREN.

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

SECTION 1. Legislative declaration. (1) The general assembly recognizes that:

(a) Shriners Hospitals for Children are a network of pediatric specialty hospitals where children under eighteen years of age receive orthopedic, spinal cord injury, and burn related medical care free of charge and may continue medical care until twenty-one years of age if approved by the Shriners hospital's chief of staff and the board of governors of the hospital;

(b) Any child may be eligible for treatment at a Shriners hospital if the child is under eighteen years of age and if, in the opinion of the hospital's chief of staff, the child has an orthopedic, spinal cord injury, or burn condition that Shriners hospitals can help;

(c) There are eighteen orthopedic Shriners hospitals, three Shriners hospitals dedicated to treating children with severe burns, and one Shriners hospital that provides orthopedic, burn, and spinal cord injury care;

(d) There are twenty Shriners hospitals located in the United States, none of which are located in Colorado; and

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

(e) Children in Colorado should not have more difficulty receiving necessary medical care from Shriners hospitals than children in other states simply because there are no Shriners hospitals in Colorado.

(2) The general assembly hereby finds, determines, and declares that:

(a) Colorado children under eighteen years of age, and in some circumstances children up to twenty-one years of age, who have orthopedic, spinal cord injury, or burn conditions should have ready access to the medical care provided by the Shriners hospitals;

(b) Physicians from the Shriners hospitals should have the ability to evaluate and treat, in Colorado or via telemedicine, children who could benefit from the medical care provided by the Shriners hospitals; and

(c) Physicians from the Shriners hospitals should have the ability to apply for and be granted a limited license to practice medicine in Colorado for the sole purpose of evaluating children to determine if they can be helped by a Shriners hospital and coordinating the treatment of those children.

SECTION 2. 12-36-107, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

12-36-107. Qualifications for licensure. (5) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN APPLICANT LAWFULLY PRACTICING MEDICINE IN ANOTHER STATE OR TERRITORY MAY BE GRANTED A LIMITED LICENSE TO PRACTICE MEDICINE IN THIS STATE, UPON APPLICATION TO THE BOARD IN THE MANNER DETERMINED BY THE BOARD, IF:

(I) THE APPLICANT HAS BEEN INVITED BY THE ADMINISTRATOR OF A HOSPITAL TO PROVIDE MEDICAL SERVICES RELATIVE TO THE EVALUATION AND TREATMENT OF CHILDREN AS POTENTIAL PATIENTS, PATIENTS, OR OUT-PATIENTS OF SHRINERS HOSPITALS FOR CHILDREN; AND

(II) THE STATE OR TERRITORY WHERE THE APPLICANT IS ACTIVELY LICENSED TO PRACTICE MEDICINE CERTIFIES TO THE BOARD THE NAME OF THE APPLICANT AND THAT THE APPLICANT IS LICENSED IN GOOD STANDING; AND

(III) THE APPLICANT CERTIFIES IN THE MANNER PRESCRIBED BY THE BOARD TO THE BOARD THAT SUCH APPLICANT'S LICENSE TO PRACTICE MEDICINE IN ANY OTHER STATE OR TERRITORY HAS NOT BEEN RESTRICTED, SUSPENDED, OR REVOKED; AND

(IV) THE APPLICANT'S PRACTICE IS LIMITED TO EVALUATION OF CHILDREN WHO ARE POTENTIAL PATIENTS OF A SHRINERS HOSPITAL AND TREATMENT OF CHILDREN WHO ARE PATIENTS OR OUT-PATIENTS OF A SHRINERS HOSPITAL AND THE APPLICANT SHALL ONLY PROVIDE SERVICES TO CHILDREN UNDER TWENTY-ONE YEARS OF AGE.

(b) SUCH LIMITED LICENSE SHALL REMAIN IN FORCE FOR A PERIOD OF TWO YEARS, SUBJECT TO RENEWAL AT THE END OF EACH TWO-YEAR PERIOD. THE BOARD MAY ESTABLISH AND CHARGE AN APPLICATION AND RENEWAL FEE FOR SUCH LIMITED LICENSE PURSUANT TO SECTION 24-34-105, C.R.S., NOT TO EXCEED ONE-HALF THE

AMOUNT OF THE FEE FOR A TWO-YEAR RENEWAL OF A PHYSICIAN'S LICENSE AND NOT TO EXCEED THE COST OF ADMINISTERING THE LICENSE. ANY RENEWAL OF A LIMITED LICENSE SHALL BE SUBJECT TO THE RENEWAL REQUIREMENTS SET FORTH IN SECTION 12-36-123.

(c) PHYSICIANS GRANTED A LIMITED LICENSE UNDER THIS SECTION ARE SUBJECT TO DISCIPLINE BY THE BOARD FOR COMMITTING UNPROFESSIONAL CONDUCT AS DEFINED IN SECTION 12-36-117, OR ANY OTHER ACT PROHIBITED BY THIS ARTICLE EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (5).

SECTION 3. 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: March 31, 1999