

## CHAPTER 56

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**PROFESSIONS AND OCCUPATIONS**


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**HOUSE BILL 00-1058**

BY REPRESENTATIVES Morrison, Alexander, Chavez, Decker, Gagliardi, Gordon, Hagedorn, Hefley, Kaufman, Mace, Plant, Ragsdale, Takis, S. Williams, and Witwer;  
also SENATORS Epps and Evans.

**AN ACT**

CONCERNING THE ADDITION OF FAILURE TO TRUTHFULLY RESPOND TO AN OFFICIALLY ISSUED COMPLAINT TO GROUNDS OF UNPROFESSIONAL CONDUCT UNDER THE "COLORADO MEDICAL PRACTICE ACT".

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

**SECTION 1. Legislative declaration.** The general assembly finds that every Coloradan should expect the highest quality of character from persons performing the healing arts. Qualities of truthfulness and honesty add to the rapport between a patient and physician. Further, the general assembly finds that the public and the state board of medical examiners, which regulates physicians and physician's assistants should expect complete truthfulness from these groups of professionals. Therefore, the state board of medical examiners needs to be able to penalize those licensed medical professionals who fail to respond with veracity to complaints issued by the board. The general assembly, therefore, determines that it is in the best interests of the public, physicians and physician's assistants, and the state board of medical examiners that a modification be made to the grounds for unprofessional conduct under the "Colorado Medical Practice Act" to include the failure to respond in a truthful and timely manner to a complaint issued by the board.

**SECTION 2.** 12-36-117 (1) (gg), Colorado Revised Statutes, is amended to read:

**12-36-117. Unprofessional conduct.** (1) "Unprofessional conduct" as used in this article means:

(gg) Failing to respond in ~~a~~ AN HONEST, MATERIALLY RESPONSIVE, AND timely manner to a complaint issued pursuant to section 12-36-118 (4);

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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 - applicability.** This act shall take effect July 1, 2000, and shall apply to acts committed on or after said date.

**SECTION 4. 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 17, 2000