

CHAPTER 129

PROFESSIONS AND OCCUPATIONS

SENATE BILL 03-021

BY SENATOR(S) Isgar, Evans, Hagedorn, Tapia, and Taylor;
also REPRESENTATIVE(S) Williams S., Coleman, Jahn, Larson, Marshall, Merrifield, and Tochtrop.

AN ACT**CONCERNING MODIFICATIONS TO THE DIRECT CARE PROVIDER CAREER PATH PILOT PROGRAM.**

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

SECTION 1. 12-38.1-203 (3) and (4), Colorado Revised Statutes, are amended to read:

12-38.1-203. Pilot program - authorization. (3) The board ~~shall establish and seek input from a~~ MAY COORDINATE EFFORTS WITH A COMMUNITY-BASED MULTI-DISCIPLINARY STAKEHOLDER GROUP IN SOUTHWEST COLORADO THAT IS INTERESTED IN ADDRESSING SIMILAR ISSUES AS THE PILOT PROGRAM, WHICH GROUP SHALL BE REFERRED TO IN THIS PART 2 AS THE direct care advisory committee. ~~which shall include interested stakeholder representatives from southwest Colorado;~~ **concerning** THE BOARD MAY WORK COOPERATIVELY WITH THE DIRECT CARE ADVISORY COMMITTEE TOWARD the development and implementation of the direct care provider career path pilot program. IN DEVELOPING AND IMPLEMENTING THE PILOT PROGRAM, THE DIRECT CARE ADVISORY COMMITTEE IS ENCOURAGED TO CONSIDER THE FACTORS LISTED IN SECTION 12-38.1-206.

(4) ~~(a) The department of health care policy and financing and the department of public health and environment shall seek the necessary waivers, if any, to allow the board to implement the pilot program.~~

~~(b) The implementation of this part 2 is conditioned upon the approval of necessary waivers by the federal government. This part 2 shall be implemented on January 1 of the year following the receipt of all required federal waivers.~~

SECTION 2. 12-38.1-204 (1) and (4), Colorado Revised Statutes, are amended to read:

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

12-38.1-204. Rule-making - training - education. (1) ~~Conditioned upon the necessary federal waivers being approved;~~ The board ~~shall~~ MAY promulgate rules to implement the direct care provider career path pilot program, ~~consistent with waivers received from the federal government;~~ which rules shall provide for a three-tiered certification for individuals performing the tasks of a nurse aide paraprofessional, which shall be defined by the tasks to be performed by the individual and the training or education of the individual. Prior to promulgating rules implementing the pilot program, the board ~~shall first~~ IS ENCOURAGED TO consult with the parties identified in section 12-38.1-203 (2) and (3). The three tiers of paraprofessional certification shall be for:

(a) ~~A certified personal care provider, who possesses some of the training and performs a limited number of the tasks of a nurse aide certified pursuant to part 1 of this article, as determined by the board;~~

(b) A certified nurse aide - level I, who is fully trained and in compliance with the provisions of part 1 of this article and all applicable regulations; ~~and~~

(c) A certified nurse aide ~~with a specialty or advanced training~~ - level II, who is fully trained and in compliance with the provisions of part 1 of this article and all applicable regulations and ~~in addition, meets mentor or preceptor standards or any other specialty or advanced training requirements~~ WHO HAS ADVANCED EDUCATION AND TRAINING specified by the board UPON RECOMMENDATIONS OF THE DIRECT CARE ADVISORY COMMITTEE; AND

(d) A CERTIFIED NURSE AIDE - LEVEL III, WHO IS FULLY TRAINED AND IN COMPLIANCE WITH THE PROVISIONS OF PART 1 OF THIS ARTICLE AND ALL APPLICABLE REGULATIONS AND WHO MEETS MENTOR AND PRECEPTOR STANDARDS AND ANY OTHER SPECIALTY OR ADVANCED TRAINING REQUIREMENTS SPECIFIED BY THE BOARD UPON RECOMMENDATIONS OF THE DIRECT CARE ADVISORY COMMITTEE.

(4) The board shall approve education programs in southwest Colorado for the education and training of individuals participating in the pilot program CONSISTENT WITH THE BOARD'S DUTIES UNDER PART 1 OF THIS ARTICLE. The board shall coordinate these education and training efforts with the state board for community colleges and occupational education established pursuant to section 23-60-104, C.R.S., and the local work force investment boards established pursuant to part 2 of article 71 of title 8, C.R.S.

SECTION 3. The introductory portion to 12-38.1-206 (1), Colorado Revised Statutes, is amended to read:

12-38.1-206. Report. (1) ~~The board and the direct care advisory committee, established pursuant to~~ REFERRED TO IN section 12-38.1-203 (3), shall report, AND THE BOARD SHALL FORWARD THE REPORT, to the members of the health, environment, children and families committee of the senate and to the members of the health, environment, welfare, and institutions committee of the house of representatives of the general assembly, as well as to the governor, within two months of the completion of the pilot program, concerning the effectiveness of the pilot program in recruiting new entry-level workers into the long-term care profession and in retaining current

and new long-term care workers through enhanced employment satisfaction. The report ~~shall~~ MAY include, but need not be limited to:

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: April 17, 2003