

CHAPTER 96

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 03-1156

BY REPRESENTATIVE(S) Romano ff, Boyd, Frangas, Garcia, Groff, Merrifield, Veiga, and Williams S.;
also SENATOR(S) Johnson S. and Sandoval.

AN ACT

**CONCERNING THE COLORADO STATE BOARD OF MEDICAL EXAMINERS' ABILITY TO FINE A LICENSEE
FOR CERTAIN UNPROFESSIONAL CONDUCT.**

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

SECTION 1. The introductory portion to 12-36-118 (5) (g) (III), Colorado Revised Statutes, is amended, and the said 12-36-118 (5) (g) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

12-36-118. Disciplinary action by board - immunity. (5) (g) (III) If the hearings panel finds the charges proven and orders that discipline be imposed, it shall also determine the extent of such discipline, which shall be in the form of a letter of admonition, suspension for a definite or indefinite period, or revocation of license to practice. IN LIEU OF A SUSPENSION, THE HEARINGS PANEL MAY IMPOSE A FINE NOT TO EXCEED TEN THOUSAND DOLLARS. In determining appropriate disciplinary action, the hearings panel shall first consider sanctions that are necessary to protect the public. Only after the panel has considered such sanctions may it consider and order requirements designed to rehabilitate the licensee or applicant. If discipline other than revocation of a license to practice is imposed, the hearings panel may also order that the licensee be granted probation and allowed to continue to practice during the period of such probation. The hearings panel may also include in any disciplinary order that allows the licensee to continue to practice such conditions as the panel may deem appropriate to assure that the licensee is physically, mentally, morally, and otherwise qualified to practice medicine or practice as a physician assistant in accordance with generally accepted professional standards of practice, including any or all of the following:

(III.5) ANY MONEYS COLLECTED PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (g) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL

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

CREDIT THE SAME TO THE GENERAL FUND.

SECTION 2. Effective date - applicability. (1) 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.

(2) The provisions of this act shall apply to incidents of unprofessional conduct committed on or after the applicable effective date of this act.

Approved: April 1, 2003