

CHAPTER 162

**GOVERNMENT - STATE**

**SENATE BILL 05-244**

BY SENATOR(S) Hagedorn, Bacon, Groff, Isgar, Jones, May R., Owen, Sandoval, Shaffer, Tapia, Taylor, Teck, Tochtrop, Tupa, Wiens, Williams, and Windels;  
also REPRESENTATIVE(S) Curry, Berens, Borodkin, Hodge, McFadyen, Paccione, Penry, Riesberg, Solano, Stengel, and Todd.

**AN ACT**

**CONCERNING INCREASED ACCESS TO HEALTH CARE THROUGH THE USE OF APPROPRIATE COMMUNICATION TECHNOLOGIES, AND, IN CONNECTION THEREWITH, PROMOTING THE STUDY OF TELEMEDICINE AND AUTHORIZING THE NEGOTIATION OF INTERSTATE AGREEMENTS TO PROMOTE EFFICIENCY IN THE DELIVERY OF MEDICAL AND NURSING SERVICES.**

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

**SECTION 1.** Section 10-16-221 (2), as enacted by Senate Bill 05-227, enacted at the First Regular Session of the Sixty-fifth General Assembly, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**10-16-221. Health care task force - creation - duties - repeal.** (2) In carrying out its duties and functions under this section, the task force may consider, but not be limited to:

(n) INCREASED ACCESS TO HEALTH CARE THROUGH THE USE OF APPROPRIATE COMMUNICATION TECHNOLOGIES, INCLUDING THE USE OF TELEMEDICINE.

**SECTION 2.** Article 60 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 31  
COMPACT FOR PORTABILITY OF  
HEALTH CARE PROFESSIONAL LICENSES -  
AUTHORIZATION**

**24-60-3101. Legislative declaration.** THE GENERAL ASSEMBLY HEREBY FINDS THAT A LACK OF ACCESS TO QUALITY, AFFORDABLE HEALTH CARE SERVICES IS AN

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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.*

INCREASING PROBLEM, BOTH IN COLORADO AND NATIONWIDE, AND CONTRIBUTES TO THE SPIRALING COSTS OF HEALTH CARE FOR INDIVIDUALS AND BUSINESSES. THIS PROBLEM COULD BE ALLEVIATED BY GREATER INTERSTATE COOPERATION AMONG, AND MOBILITY OF, MEDICAL PROFESSIONALS THROUGH THE USE OF TELEMEDICINE AND OTHER MEANS. THEREFORE, IT IS DESIRABLE TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES, TOGETHER WITH THE STATE BOARD OF MEDICAL EXAMINERS CREATED IN SECTION 12-36-103, C.R.S., AND THE STATE BOARD OF NURSING CREATED IN SECTION 12-38-104, C.R.S., AND IN CONSULTATION WITH REPRESENTATIVES OF OTHER RELEVANT STATE AGENCIES, TO NEGOTIATE ONE OR MORE INTERSTATE COMPACTS ENDORSING MODEL LEGISLATION TO FACILITATE THE EFFICIENT DISTRIBUTION OF HEALTH CARE SERVICES ACROSS STATE LINES.

**24-60-3102. Definitions.** AS USED IN THIS PART 31, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF REGULATORY AGENCIES, CREATED IN SECTION 24-1-122.

(2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

(3) "MEDICINE" OR "MEDICAL PRACTICE" HAS THE SAME MEANING AS "PRACTICE OF MEDICINE" AS DEFINED IN SECTION 12-36-106, C.R.S.

(4) "NURSING" OR "NURSING PRACTICE" INCLUDES BOTH THE PRACTICE OF PRACTICAL NURSING AND THE PRACTICE OF PROFESSIONAL NURSING AS SET FORTH IN SECTIONS 12-38-103 (9) AND 12-38-103 (10), C.R.S., RESPECTIVELY; EXCEPT THAT NOTHING IN THIS PART 31 SHALL BE CONSTRUED TO AUTHORIZE NURSES TO DELIVER SERVICES OUTSIDE THEIR SCOPE OF PRACTICE.

(5) "STATE" MEANS A STATE OF THE UNITED STATES, THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF PUERTO RICO, THE VIRGIN ISLANDS, GUAM, THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, OR A TERRITORY OR POSSESSION OF OR ADMINISTERED BY THE UNITED STATES.

**24-60-3103. Model legislation - compacts authorized.** (1) THE EXECUTIVE DIRECTOR, TOGETHER WITH THE STATE BOARD OF MEDICAL EXAMINERS CREATED IN SECTION 12-36-103, C.R.S., AND THE STATE BOARD OF NURSING CREATED IN SECTION 12-38-104, C.R.S., AND IN CONSULTATION WITH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING OR HIS OR HER DESIGNEE, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OR HIS OR HER DESIGNEE, AND REPRESENTATIVES OF OTHER STATE AGENCIES WHOSE PARTICIPATION THE EXECUTIVE DIRECTOR DEEMS BENEFICIAL, IS HEREBY AUTHORIZED TO DEVELOP, PARTICIPATE IN THE DEVELOPMENT OF, AND NEGOTIATE FOR ONE OR MORE INTERSTATE COMPACTS ON BEHALF OF THE STATE OF COLORADO WITH OTHER STATES AND TO RECOMMEND MODEL LEGISLATION THAT, IF ADOPTED IN THE RESPECTIVE SIGNATORY STATES, WOULD ADVANCE THE FOLLOWING POLICY GOALS:

(a) THE PORTABILITY OF MEDICAL AND NURSING LICENSES ISSUED BY SIGNATORY STATES, SUBJECT TO APPROPRIATE PROFESSIONAL STANDARDS, SAFEGUARDS AND RECIPROCAL ENFORCEMENT PROVISIONS; AND

(b) THE IMPLEMENTATION OF PROCEDURES FOR THE DELIVERY OF HEALTH CARE SERVICES VIA TELEMEDICINE.

(2) THE EXECUTIVE DIRECTOR SHALL KEEP THE GENERAL ASSEMBLY INFORMED AS TO THE PROGRESS OF NEGOTIATIONS UNDERTAKEN PURSUANT TO THIS SECTION, AS EVENTS MAY WARRANT.

**SECTION 3. Effective date.** This act shall take effect July 1, 2005; except that section 1 of this act shall take effect upon passage only if Senate Bill 05-227 is enacted at the first regular session of the sixty-fifth general assembly and becomes law.

**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: May 26, 2005