

CHAPTER 95

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 06-1243

BY REPRESENTATIVE(S) Sullivan, Kerr, Liston, and Todd;
also SENATOR(S) Hanna, and Tochtrop.

AN ACT

CONCERNING THE PRACTICE OF CHIROPRACTIC, AND, IN CONNECTION THEREWITH, REQUIRING LIABILITY INSURANCE TO COVER ALL ACTS WITHIN THE SCOPE OF CHIROPRACTIC PRACTICE AND ALLOWING THE STATE BOARD OF CHIROPRACTIC EXAMINERS TO IMPOSE A FINE ON A LICENSEE IN LIEU OF SUSPENDING A LICENSE.

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

SECTION 1. 12-33-116.5 (1), Colorado Revised Statutes, is amended to read:

12-33-116.5. Professional liability insurance required. (1) (a) It is unlawful for any person to practice chiropractic within this state unless ~~such~~ THE person purchases and maintains professional liability insurance in an amount not less than one hundred thousand dollars per claim with an aggregate liability limit for all claims during the year of three hundred thousand dollars.

(b) PROFESSIONAL LIABILITY INSURANCE REQUIRED BY THIS SECTION SHALL COVER ALL ACTS WITHIN THE SCOPE OF PRACTICE AS DEFINED BY SECTION 12-33-102. PROFESSIONAL LIABILITY COVERAGE SHALL COVER ACUPUNCTURE AND ELECTROTHERAPY ONLY IF THE LICENSEE IS AUTHORIZED TO PERFORM THESE ACTS.

SECTION 2. 12-33-117, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

12-33-117. Discipline of licensees - letters of admonition, suspension, revocation, denial, and probation - grounds. (1.5) IN LIEU OF A SUSPENSION OF A LICENSE, THE BOARD MAY IMPOSE A FINE NOT TO EXCEED TEN THOUSAND DOLLARS. ALL FINES COLLECTED PURSUANT TO THIS SUBSECTION (1.5) SHALL BE TRANSFERRED TO THE STATE TREASURER, WHO SHALL CREDIT SUCH MONEYS TO THE GENERAL FUND.

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. (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 (August 9, 2006, if adjournment sine die is on May 10, 2006); 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 insurance policies issued or renewed and to disciplinary proceedings conducted on or after the applicable effective date of this act.

Approved: March 31, 2006