

CHAPTER 46

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 10-1175

BY REPRESENTATIVE(S) Loooper, Todd, Acree, DelGrosso, Apuan, Labuda, Merrifield, Nikkel, Soper, Stephens, Vigil;
also SENATOR(S) Tapia, Heath.

AN ACT

**CONCERNING THE DEMONSTRATION OF COMPETENCY BY AN OUT-OF-STATE APPLICANT IN A FIELD
REGULATED BY THE DEPARTMENT OF REGULATORY AGENCIES.**

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

SECTION 1. 12-33-113, Colorado Revised Statutes, is amended to read:

12-33-113. Licensure by endorsement. (1) Upon application for a license to practice chiropractic in this state, accompanied by the required fee, the board shall issue such license to any person who furnishes, upon such form and in such manner as the board prescribes, evidence satisfactory to the board that:

(a) ~~He~~ THE APPLICANT is licensed to practice chiropractic in another state, a territory of the United States, the District of Columbia, the commonwealth of Puerto Rico, or a province of Canada; and

(b) At the time of application under this section, ~~he~~ THE APPLICANT possesses credentials and qualifications ~~which~~ THAT are, in the judgment of the board, equivalent to this state's requirements for licensure by examination; and

(c) (I) ~~He~~ THE APPLICANT has been engaged in the full-time practice of chiropractic, or has taught general clinical chiropractic subjects at an accredited school of chiropractic, as set forth in section 12-33-111 (1) (a), in one of the jurisdictions referred to in paragraph (a) of this subsection (1) for at least three of the five years immediately preceding ~~his making~~ THE DATE OF THE RECEIPT OF THE application; ~~under this section; and~~ OR

(II) THE APPLICANT HAS DEMONSTRATED COMPETENCY AS A CHIROPRACTOR AS DETERMINED BY THE BOARD; AND

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

(d) ~~He~~ THE APPLICANT has not been convicted of a crime ~~which crime~~ THAT would be grounds for the refusal, suspension, or revocation of a license to practice chiropractic in this state if committed in this state; and

(e) ~~His~~ THE APPLICANT'S license to practice chiropractic is ~~not, at the time of application under this section, suspended or revoked in any jurisdiction, based on grounds which would be grounds for the refusal, suspension, or revocation of a license to practice chiropractic in this state~~ IN GOOD STANDING.

SECTION 2. 12-35-120 (2) (c), Colorado Revised Statutes, is amended to read:

12-35-120. Licensure by endorsement. (2) The board shall issue a license to an applicant licensed as a dentist in another state or territory of the United States if said applicant has submitted credentials and qualifications for licensure that include:

(c) Proof the applicant has been in practice or teaching dentistry, which involves personally providing care to patients for not less than three hundred hours annually in an accredited dental school for a minimum of five years out of the seven years immediately ~~prior to applying for licensure~~ PRECEDING THE DATE OF THE RECEIPT OF THE APPLICATION, OR EVIDENCE THAT THE APPLICANT HAS DEMONSTRATED COMPETENCY AS A DENTIST AS DETERMINED BY THE BOARD;

SECTION 3. 12-35-127 (3) (b) (III), Colorado Revised Statutes, is amended to read:

12-35-127. Dental hygienist examinations - license - endorsement - liability insurance. (3) (b) The board shall issue a license to an applicant duly licensed as a dental hygienist in another state or territory of the United States who has submitted credentials and qualifications for licensure in Colorado. Such credentials and qualifications shall include:

(III) (A) Verification that the applicant has been engaged either in clinical practice or in teaching dental hygiene or dentistry in an accredited program for at least one year during the three years immediately preceding the DATE OF THE RECEIPT OF THE application; OR

(B) EVIDENCE THAT THE APPLICANT HAS DEMONSTRATED COMPETENCY AS A DENTAL HYGIENIST AS DETERMINED BY THE BOARD;

SECTION 4. The introductory portion to 12-39-110 (2) and 12-39-110 (2) (c), Colorado Revised Statutes, are amended to read:

12-39-110. Endorsement. (2) An applicant for licensure under this section shall submit to the board, in a ~~form~~ MANNER prescribed by the board, all of the following:

(c) (I) Verification that the applicant has been engaged in the practice of nursing home administration, has taught in a health care administration program, or has served as a member of a nursing home survey or accreditation team for one year immediately preceding the date of THE RECEIPT OF THE application, or has been engaged in one of the services described in this ~~paragraph (c)~~ SUBPARAGRAPH (I) for

three of the five years immediately preceding the date of THE RECEIPT OF THE application; OR

(II) EVIDENCE THAT THE APPLICANT HAS DEMONSTRATED COMPETENCY AS A NURSING HOME ADMINISTRATOR AS DETERMINED BY THE BOARD.

SECTION 5. 12-40-108 (3), Colorado Revised Statutes, is amended to read:

12-40-108. Application for license - licensure by endorsement. (3) (a) The board may issue a license by endorsement to engage in the practice of optometry to an applicant who:

(I) (A) Is currently licensed and is in practice and good standing in another state or territory of the United States or in a foreign country if the applicant presents proof satisfactory to the board ~~that~~ at the time of application for a Colorado license by endorsement;

(B) PAYS A FEE AS PRESCRIBED BY THE BOARD; AND

(II) (A) ~~The applicant~~ Possesses credentials and qualifications ~~which~~ THAT are substantially equivalent to requirements for licensure by examination; ~~and pays a fee as prescribed.~~ OR

(B) HAS DEMONSTRATED COMPETENCY AS AN OPTOMETRIST AS DETERMINED BY THE BOARD.

(b) The board shall specify by rule ~~and regulation~~ what shall constitute substantially equivalent credentials and qualifications OR COMPETENCY.

SECTION 6. 12-41-109 (3) (c), Colorado Revised Statutes, is amended to read:

12-41-109. Licensure by endorsement. (3) The director shall issue a license if the applicant fulfills the requirements of subsection (1) of this section and meets any one of the following qualifying standards enumerated in paragraphs (a) to (c) of this subsection (3):

(c) The applicant has not practiced as a licensed physical therapist at least two of the last five years immediately preceding the date of the RECEIPT OF THE application, and: ~~either:~~

(I) The applicant passed an examination in another jurisdiction, which examination is substantially equivalent to that specified in section 12-41-107 (2), and has demonstrated competency through successful completion of an internship ~~which~~ OR DEMONSTRATED COMPETENCY AS A PHYSICAL THERAPIST THAT fulfills the requirements established by rules ~~and regulations~~ of the director. ~~or~~

(II) ~~The applicant did not pass an examination substantially equivalent to that specified in section 12-41-107 (2). Such an applicant must take and pass the examination specified in section 12-41-107 (2) and complete an internship which fulfills the requirements established by rules and regulations of the director.~~

SECTION 7. 24-34-102 (8), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-34-102. Division of registrations - creation - duties of division and department heads - definitions - license, registration, or certification renewal, reinstatement, and endorsement. (8) (e) Endorsement. UNLESS OTHERWISE PROHIBITED BY TITLE 12, C.R.S., AN APPLICANT FOR CERTIFICATION, REGISTRATION, OR LICENSURE BY ENDORSEMENT MAY DEMONSTRATE COMPETENCY IN A SPECIFIC OCCUPATION OR PROFESSION AS DETERMINED BY THE DIRECTOR IN LIEU OF A REQUIREMENT THAT THE APPLICANT HAS WORKED OR PRACTICED IN THAT OCCUPATION OR PROFESSION FOR A PERIOD OF TIME PRIOR TO THE APPLICATION FOR ENDORSEMENT.

SECTION 8. Specified effective date. This act shall take effect July 1, 2011.

SECTION 9. 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 29, 2010