

CHAPTER 103

HEALTH AND ENVIRONMENT

HOUSE BILL 12-1204

BY REPRESENTATIVE(S) McCann, Kefalas, Young, Fischer, Labuda, Massey, Schafer S., Summers, Todd;
also SENATOR(S) Boyd, Aguilar, Foster, Newell, Tochtrop.

AN ACT

CONCERNING THE CONTINUATION OF THE REGULATION OF HEMODIALYSIS TECHNICIANS, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE SUNSET REVIEW RECOMMENDATIONS OF THE DEPARTMENT OF REGULATORY AGENCIES.

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

SECTION 1. In Colorado Revised Statutes, 25-1.5-108, **amend** (2), (3) (a), and (6) as follows:

25-1.5-108. Regulation of dialysis treatment clinics - training for hemodialysis technicians - state board of health rules - definitions - repeal.

(2) By January 1, 2008, the state board of health shall adopt rules to establish a process to verify that persons performing the duties and functions of a hemodialysis technician at or for a dialysis treatment clinic have been credentialed by a national credentialing program. The verification process shall be part of the department of public health and environment's licensing of dialysis treatment clinics AND PART OF EACH ROUTINE SURVEY OF LICENSED DIALYSIS CLINICS CONDUCTED BY THE DEPARTMENT. As part of the rules adopted pursuant to this section, the state board shall establish fees consistent with section 25-3-105 to be assessed by the department against dialysis treatment clinics to cover the department's administrative costs in implementing this section.

(3) (a) On and after January 1, 2009, a person shall not act as, or perform the duties and functions of, a hemodialysis technician unless the person has been credentialed by a national credentialing program and is under the supervision of a LICENSED physician or ~~registered~~ LICENSED PROFESSIONAL nurse experienced or trained in dialysis treatment.

(6) This section is repealed, effective ~~July 1, 2012~~ SEPTEMBER 1, 2019. Prior to

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

~~said~~ THIS REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW the functions of the state board of health and the department regarding hemodialysis technicians ~~shall be reviewed~~ as provided in section 24-34-104, C.R.S.

SECTION 2. In Colorado Revised Statutes, 24-34-104, **amend** (43) introductory portion and (50.5) introductory portion; **repeal** (43) (e); and **add** (50.5) (f) as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (43) The following agencies, functions, or both, ~~shall~~ terminate on July 1, 2012:

(e) ~~The functions of the state board of health and the department of public health and environment regarding hemodialysis technicians pursuant to section 25-1.5-108, C.R.S.;~~

(50.5) The following agencies, functions, or both, ~~shall~~ terminate on September 1, 2019:

(f) THE REGULATION OF DIALYSIS TREATMENT CLINICS AND HEMODIALYSIS TECHNICIANS PURSUANT TO SECTION 25-1.5-108, C.R.S.

SECTION 3. Effective date. This act takes effect July 1, 2012.

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 13, 2012