

Be it enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 12-315-102, **add** subsection (2) as follows:

(2) THE PEOPLE OF THE STATE OF COLORADO DECLARE THAT:

(a) THERE IS A CRITICAL VETERINARY WORKFORCE SHORTAGE IMPACTING THE ANIMALS OF COLORADO;

(b) THE VETERINARY WORKFORCE SHORTAGE IS CAUSING AN ACCESS TO VETERINARY CARE CRISIS IN COLORADO;

(c) THE ACCESS TO VETERINARY CARE CRISIS IS THREATENING THE WELFARE OF COMPANION ANIMALS, THE LIVELIHOOD OF MEMBERS OF COLORADO'S ANIMAL AGRICULTURE INDUSTRY, AND THE SAFETY OF OUR FOOD SUPPLY;

(d) THE VETERINARY WORKFORCE SHORTAGE AND ACCESS TO VETERINARY CARE CRISIS CANNOT BE SOLVED WITHOUT SEEKING NEW WAYS TO BRING ADDITIONAL PEOPLE INTO THE VETERINARY WORKFORCE; AND

(e) EXPERTS IN VETERINARY MEDICINE HAVE IDENTIFIED A MID-LEVEL VETERINARY PRACTITIONER CAREER PATHWAY AS ONE SOLUTION TO THE VETERINARY WORKFORCE SHORTAGE AND ACCESS TO VETERINARY CARE CRISIS.

SECTION 2. In Colorado Revised Statutes 12-315-104, **add** (21.7) as follows:

12-315-104. Definitions. As used in this article 315, unless the context otherwise requires:

(21.7) "VETERINARY PROFESSIONAL ASSOCIATE" MEANS AN INDIVIDUAL WHO HOLDS A MASTER'S DEGREE IN VETERINARY CLINICAL CARE, OR THE EQUIVALENT, AND WHO IS SUBJECT TO THE REQUIREMENTS IN SECTION 12-315-203.7.

SECTION 3. In Colorado Revised Statutes 12-315-105, **add** (1)(r) as follows:

12-315-105. License requirements and exceptions - definitions - rules.

(1)(r) A VETERINARY PROFESSIONAL ASSOCIATE FROM PRACTICING VETERINARY MEDICINE THAT IS:

(I) WITHIN THE VETERINARY PROFESSIONAL ASSOCIATE'S ADVANCED EDUCATION AND EXPERIENCE; AND

(II) PERFORMED WHILE UNDER THE SUPERVISION OF A LICENSED VETERINARIAN WHO IS RESPONSIBLE FOR THE VETERINARY PROFESSIONAL ASSOCIATE'S PERFORMANCE.

SECTION 4. In Colorado Revised Statutes, 12-315-106, **add** 5(j) and **amend** (5)(a), (5)(b), (5)(d), and (7) as follows:

12-315-106. Board of veterinary medicine - creation - powers - rules. (5) The board has the power to:

(a) Examine and determine the qualifications and fitness of applicants for a license to practice veterinary medicine or for registration as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE in this state;

(b) Pursuant to section 12-20-404, issue, renew, deny, suspend, or revoke licenses to practice veterinary medicine or registrations of veterinary technicians AND VETERINARY PROFESSIONAL ASSOCIATES in the state or otherwise discipline or fine, or both, licensees or registrants consistent with this article 315 and the rules adopted by the board under this article 315;

(d) Establish, pursuant to section 12-20-105, and publish annually a schedule of fees for licensing and registration of veterinarians, ~~and~~ veterinary technicians, AND VETERINARY PROFESSIONAL ASSOCIATES. The board shall base the fee on its anticipated financial requirements for the year.

(j) APPROVE A NATIONALLY RECOGNIZED VETERINARY PROFESSIONAL ASSOCIATE CREDENTIALING ORGANIZATION FOR PURPOSES OF CREDENTIALING VETERINARY PROFESSIONAL ASSOCIATES IN THIS STATE. THE CREDENTIALING ORGANIZATION APPROVED BY THE BOARD MUST: (I) REQUIRE COMPLETION OF A UNIVERSITY APPROVED PROGRAM FOR VETERINARY PROFESSIONAL ASSOCIATES; (II) REQUIRE THAT AN APPLICANT PASS A VETERINARY PROFESSIONAL ASSOCIATE NATIONAL EXAMINATION ; AND (III) REQUIRE CONTINUING EDUCATION FOR VETERINARY PROFESSIONAL ASSOCIATES.

(7) The powers of the board are granted to enable the board to effectively supervise the practice of veterinary medicine and of veterinary technicians AND VETERINARY PROFESSIONAL ASSOCIATES and are to be construed liberally to accomplish this objective.

SECTION 5. In Colorado Revised Statutes, 12-315-112, **amend** (1)(ee) as follows;

12-315-112. Discipline of licensees.

(1) Upon receipt of a signed complaint by a complainant or upon its own motion, the board may proceed to a hearing in accordance with section 12-315-113. After a hearing, and by a concurrence of a majority of members, the board may take disciplinary or other action as authorized in section 12-20-404 against an applicant for a license or a licensed veterinarian for any of the following reasons:

(ee) Failure to properly supervise a veterinary student, a veterinary student preceptor, a veterinary technician, A VETERINARY PROFESSIONAL ASSOCIATE, or other veterinary staff;

SECTION 6. In Colorado Revised Statutes, article 315 of title 12, rename Part 2 as follows:

Part 2. VETERINARY TECHNICIANS AND VETERINARY PROFESSIONAL ASSOCIATES

SECTION 7. In Colorado Revised Statutes, 12-315-201, **add** (1)(c) and (1)(d) as follows:

12-315-201. Additional board duties - rules - repeal. (1) In addition to any other duties specified in this part 2 or section 12-315-106, the board shall:

(c) REQUIRE BIENNIAL CONTINUING EDUCATION FOR VETERINARY PROFESSIONAL ASSOCIATES, AS DETERMINED BY THE BOARD BY RULE, AS A CONDITION OF RENEWING REGISTRATION; AND

(d) ADOPT ANY RULES NECESSARY FOR THE PRACTICE AND SUPERVISION OF VETERINARY PROFESSIONAL ASSOCIATES.

SECTION 8. In Colorado Revised Statutes, **add** 12-315-203.7 as follows:

12-315-203.7. Veterinary professional associate - qualifications- registration - fees - continuing education - rules.

(1) AN INDIVIDUAL WHO DESIRES TO PRACTICE AS A VETERINARY PROFESSIONAL ASSOCIATE IN THIS STATE MUST FILE AN APPLICATION FOR REGISTRATION WITH THE BOARD, ALONG WITH THE REQUIRED APPLICATION FEE, IN THE MANNER DETERMINED BY THE BOARD.

(2) QUALIFICATIONS. TO BE QUALIFIED FOR REGISTRATION AS A VETERINARY PROFESSIONAL ASSOCIATE, AN INDIVIDUAL MUST:

(a) BE AT LEAST EIGHTEEN YEARS OF AGE; AND

(b) HOLD A MASTER'S DEGREE IN VETERINARY CLINICAL CARE OR THE EQUIVALENT AS DETERMINED BY THE BOARD.

(3) REGISTRATION. COMMENCING JANUARY 15, 2027, AN INDIVIDUAL WHO PRACTICES AS A VETERINARY PROFESSIONAL ASSOCIATE IN THIS STATE MUST BE REGISTERED BY THE BOARD PURSUANT TO THIS SECTION AND RULES ADOPTED BY THE BOARD FOR THE REGISTRATION OF VETERINARY PROFESSIONAL ASSOCIATES.

(4) RULES. PRIOR TO REGISTERING VETERINARY PROFESSIONAL ASSOCIATES PURSUANT TO THIS SECTION, THE BOARD SHALL ESTABLISH, BY RULE:

(a) THE TIME FRAMES AND REQUIREMENTS FOR REGISTRATION, RENEWAL OF REGISTRATION, AND SUSPENSION AND REINSTATEMENT OF REGISTRATION FOR VETERINARY PROFESSIONAL ASSOCIATES;

(b) THE FEE FOR REGISTRATION AND RENEWAL OF REGISTRATION;

(c) THE METHOD FOR AN APPLICANT TO DEMONSTRATE THAT THE APPLICANT MEETS THE REQUIREMENTS SET FORTH IN SUBSECTION (2) OF THIS SECTION;

(d) ANY INFORMATION OR CONFIRMATION REQUIRED BY THE SUPERVISING, LICENSED VETERINARIAN;

(e) CONTINUING EDUCATION REQUIREMENTS FOR VETERINARY PROFESSIONAL ASSOCIATES IN ACCORDANCE WITH SECTION 12-315-201(1)(c) AND SUBSECTION (5) OF THIS SECTION; AND

(f) ANY OTHER RULES NECESSARY TO IMPLEMENT THIS SECTION.

(5) A VETERINARY PROFESSIONAL ASSOCIATE IS SUBJECT TO A BIENNIAL CONTINUING EDUCATION REQUIREMENT ESTABLISHED BY THE BOARD PURSUANT TO SECTION 12-315-201(1)(c) AND RULES ADOPTED PURSUANT TO SUBSECTION (4)(e) OF THIS SECTION AS A CONDITION OF RENEWING REGISTRATION.

SECTION 9. In Colorado Revised Statutes, **amend** 12-315-204 as follows:

12-315-204. Use of title restricted.

(1) On and after January 1, 2024, only a person who is registered pursuant to this part 2 may use the title “veterinary technician” or “registered veterinary technician” or the initials “VT” or “RVT”.

(2) ON OR AFTER JANUARY 15, 2027, ONLY AN INDIVIDUAL WHO IS REGISTERED PURSUANT TO SECTION 12-315-203.7 MAY USE THE TITLE “VETERINARY PROFESSIONAL ASSOCIATE” OR “REGISTERED VETERINARY PROFESSIONAL ASSOCIATE” OR THE INITIALS “VPA” OR “RVPA.”

SECTION 10. In Colorado Revised Statutes, **amend** 12-315-206 as follows:

12-315-206. Expiration, renewal, reinstatement, or reactivation of a registration - inactive status - rules - definition.

(1) A registration issued pursuant to this part 2 is subject to the renewal, expiration, reinstatement, and delinquency fee provisions specified in section 12-20-202 (1) and (2). A person whose registration expires is subject to the penalties provided in this part 2 or section 12-20-202 (1).

(2) The board, by rule, may waive a veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE’S renewal fee while the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE is on active duty with any branch of the services of the United States. The period during which the renewal fee is waived cannot exceed the longer of three years or the duration of a national emergency.

(3) The board shall not renew, reinstate, or reactivate a registration issued pursuant to this part 2 unless the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE demonstrates to the board's satisfaction that the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE maintains active credentialing with the credentialing organization OR VETERINARY PROFESSIONAL ASSOCIATE CONTINUES TO MEET THE REQUIREMENTS FOR REGISTRATION UNDER THIS PART 2.

Subject to board rule, the evidence may be provided by an attestation on the registration application.

(4) (a) Upon notice to the board, the board shall transfer a veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE'S registration to inactive status. If a person whose registration is in inactive status wishes to resume practicing, as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE, the person shall apply to the board in a form and manner approved by the board and shall demonstrate, to the satisfaction of the board, that the person has obtained and maintains credentialing in good standing by the credentialing organization OR THE PERSON CONTINUES TO MEET THE REQUIREMENTS FOR REGISTRATION UNDER THIS PART 2.

(b) The board may pursue disciplinary proceedings pursuant to section 12-315-207 against a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE whose registration is inactive pursuant to this subsection (4) for conduct that violates this part 2 that the person engages in while the registration is in inactive status.

SECTION 11. In Colorado Revised Statutes, **amend** 12-315-207 (1) introductory portion, (1)(e), (1)(f) introductory portion, (1)(f)(I), (1)(g), (5), and (8) as follows:

12-315-207. Discipline of a registered veterinary technician - registered veterinary professional associate - repeal.

(1) Upon receipt of a signed complaint by a complainant or upon its own motion, the board may proceed to a hearing in accordance with section 12-315-113. After a hearing, and by a concurrence of a majority of members, the board may take disciplinary action as authorized in section 12-20-404 against an applicant for a registration or a registered veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE for any of the following reasons:

(e) Unprofessional or unethical conduct or engaging in practices that are in violation of generally accepted standards for practice as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE or prescribed by the rules of the board;

(f) The veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE:

(I) Has a registration or credential as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE in another state revoked or suspended;

(g) Practicing as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE while in inactive status or while the person's registration is expired;

(5) With respect to denying the issuance of a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE registration or taking disciplinary action against a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE, the board may accept as prima facie evidence of grounds for the action any federal or state action taken against a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE in another jurisdiction if the violation that prompted the disciplinary action in the jurisdiction would constitute grounds for disciplinary action under this section.

(8) The board may suspend the registration of a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE who fails to comply with an order of the board issued in accordance with this section. The board may impose the registration suspension until the registrant complies with the board's order.

SECTION 12. In Colorado Revised Statutes, 12-315-208, **amend** (1)(a)(I) introductory portion, (1)(a)(I)(B), (1)(b), and (2) introductory portion as follows:

12-315-208. Examination of registrants - behavioral health - mental health - physical conditions.

(1)(a)(I) If, upon receipt of a signed complaint by a complainant, the board has reasonable cause to believe that a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE is unable to practice as a veterinary technician with reasonable skill and safety to patients or clients due to a physical condition or a behavioral health, mental health, or substance use disorder, the board may require in writing that the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE submit to an examination to evaluate:

(B) Any impact the physical condition or the behavioral health, mental health, or substance use disorder has on the veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE'S ability to practice as a veterinary technician with reasonable skill and safety to patients and clients.

(b) If a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE fails to submit to an examination required under subsection (1)(a) of this section, the board may suspend the veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE'S registration until the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE submits to the examination; however, if the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE demonstrates to the satisfaction of the board that the failure to submit to the examination is due to circumstances beyond the veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE'S control, the board shall not suspend the veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE'S registration.

(2) Every veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE in this state is deemed, by practicing as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE or applying for a renewal of the person's registration, to have:

SECTION 13. In Colorado Revised Statutes, **add** 12-315-209.7 as follows:

12-315-209.7. Duties of licensed veterinarian - direction and supervision of veterinary professional associate - rules.

(1) (a) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A PERSON PRACTICING AS A VETERINARY PROFESSIONAL ASSOCIATE MAY PERFORM DUTIES AND ACTIONS AUTHORIZED PURSUANT TO SECTION 12-315-105(1)(r) THAT ARE WITHIN THE SCOPE OF THE VETERINARY PROFESSIONAL ASSOCIATE'S ADVANCED EDUCATION AND EXPERIENCE IF THE PERSON PERFORMS THOSE DUTIES UNDER THE SUPERVISION OF A LICENSED VETERINARIAN.

(2) A VETERINARY PROFESSIONAL ASSOCIATE SHALL PERFORM ONLY THOSE DUTIES OR ACTIONS DELEGATED BY THE LICENSED, SUPERVISING VETERINARIAN FOR WHICH THE VETERINARY PROFESSIONAL ASSOCIATE HAS THE NECESSARY TRAINING AND EXPERIENCE, AS DETERMINED BY THE SUPERVISING VETERINARIAN, TO MEET GENERALLY ACCEPTED STANDARDS OF VETERINARY CARE.

(3) IF A VETERINARY PROFESSIONAL ASSOCIATE IS DELEGATED DUTIES BEYOND THE VETERINARY PROFESSIONAL ASSOCIATE’S TRAINING AND EXPERIENCE:

(a) THE LICENSED VETERINARIAN:

(I) IS IN VIOLATION OF SECTION 12-315-112(1)(ee) AND (1)(hh) OF THIS ARTICLE;

(II) MAY BE LIABLE FOR DAMAGES RESULTING FROM ANY NEGLIGENCE OF THE VETERINARY PROFESSIONAL ASSOCIATE IN PROVIDING CARE TO AN ANIMAL; AND

(III) MAY BE SUBJECT TO PROFESSIONAL DISCIPLINE IN ACCORDANCE WITH SECTIONS 12-20-404 AND 12-315-112 OF THIS ARTICLE; AND

(4) IF A VETERINARY PROFESSIONAL ASSOCIATE PERFORMS DUTIES BEYOND THE VETERINARY PROFESSIONAL ASSOCIATE’S TRAINING AND EXPERIENCE OR DOES NOT CONFORM WITH THE REQUIREMENT TO PERFORM ALL DUTIES AND ACTIONS PURSUANT TO SECTION 12-315-105(1)(r) UNDER THE SUPERVISION OF A LICENSED, SUPERVISING VETERINARIAN AS SPECIFIED IN SUBSECTION (1) OF THIS SECTION:

b) THE VETERINARY PROFESSIONAL ASSOCIATE MAY BE SUBJECT TO:

(I) A CEASE-AND-DESIST ORDER PURSUANT TO SECTION 12-20-405;

(II) DAMAGES RESULTING FROM ANY NEGLIGENCE OF THE VETERINARY PROFESSIONAL ASSOCIATE IN PROVIDING CARE TO AN ANIMAL; AND

(III) DISCIPLINE PURSUANT TO SECTIONS 12-20-404 AND 12-315-204 FOR A VIOLATION OF SECTION 12-315-207(1)(n).

SECTION 14. In Colorado Revised Statutes, **amend** 12-315-210 as follows:

12-315-210. Unauthorized practice - penalties. A person who practices or offers or attempts to practice as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE without an active registration issued under this part 2 is subject to penalties pursuant to section 12-20-407 (1)(a).

SECTION 15. In Colorado Revised Statutes, 12-20-404, **amend** (1)(d)(II)(M) as follows:

12-20-404. Disciplinary actions - regulator powers - disposition of fines - mistreatment of at-risk adult – exceptions - definitions.

(1) General disciplinary authority. If a regulator determines that an applicant, licensee, certificate holder, or registrant has committed an act or engaged in conduct that constitutes

grounds for discipline or unprofessional conduct under a part or article of this title 12 governing the particular profession or occupation, the regulator may:

(d) (II) A regulator is not authorized under this subsection (1)(d) to refuse to renew the license, certification, or registration of a licensee, certificate holder, or registrant regulated under the following:

(M) Article 315 of this title 12 concerning veterinarians, and veterinary technicians OR VETERINARY PROFESSIONAL ASSOCIATES.

SECTION 16. In Colorado Revised Statutes, 12-20-407, **amend** (1)(a)(V)(W) as follows:

12-20-407. Unauthorized practice of profession or occupation - penalties - exclusions.

(1) (a) A person commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501 if the person:

(V) Practices or offers or attempts to practice any of the following professions or occupations without an active license, certification, or registration issued under the part or article of this title 12 governing the particular profession or occupation:

(W) Veterinary medicine or as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE, as regulated under article 315 of this title 12.

SECTION 17. In Colorado Revised Statutes, 12-20-408, **amend** (1)(f) as follows:

12-20-408. Judicial review.

(1) Except as specified in subsection (2) of this section, the court of appeals has initial jurisdiction to review all final actions and orders of a regulator that are subject to judicial review and shall conduct the judicial review proceedings in accordance with section 24-4-106 (11); except that, with regard only to cease-and-desist orders, a district court of competent jurisdiction has initial jurisdiction to review a final action or order of a regulator that is subject to judicial review and shall conduct the judicial review proceedings in accordance with section 24-4-106 (3) for the following:

(f) Article 315 of this title 12 concerning veterinarians, ~~and~~ veterinary technicians, AND VETERINARY PROFESSIONAL ASSOCIATES.

SECTION 18. In Colorado Revised Statutes, 24-72-204, **amend** (3)(a)(XIV) as follows:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal - definitions - repeal. (3) (a) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law; except that the custodian shall make any of the following records, other than letters of reference concerning employment, licensing, or issuance of permits, available to the person in interest in accordance with this subsection (3):

(XIV) Veterinary medical data, information, and records on individual animals that are owned by private individuals or business entities, but are in the custody of a veterinary medical practice or hospital, including the veterinary teaching hospital at Colorado state university, that provides veterinary medical care and treatment to animals. A veterinary-patient-client privilege exists with respect to such data, information, and records only when a person in interest and a veterinarian OR VETERINARY PROFESSIONAL ASSOCIATE enter into a mutual agreement to provide medical treatment for an individual animal and such person in interest maintains an ownership interest in such animal undergoing treatment. For purposes of this subsection (3)(a)(XIV), "person in interest" means the owner of an animal undergoing veterinary medical treatment or such owner's designated representative. Nothing in this subsection (3)(a)(XIV) shall prevent the state agricultural commission, the state agricultural commissioner, or the state board of veterinary medicine from exercising their investigatory and enforcement powers and duties granted pursuant to section 35-1-106 (1)(h), article 50 of title 35, and section 12-315-106 (5)(e), respectively. The veterinary-patient-client privilege described in this subsection (3)(a)(XIV), pursuant to section 12-315-120 (5), may not be asserted for the purpose of excluding or refusing evidence or testimony in a prosecution for an act of animal cruelty under section 18-9-202 or for an act of animal fighting under section 18-9-204.