

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0319.01 Brita Darling x2241

HOUSE BILL 22-1235

HOUSE SPONSORSHIP

McCormick and Catlin, Holtorf, Lontine, Lynch, McLachlan, Pelton, Roberts, Titone, Valdez D., Will

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Livestock, & Water

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE REGULATION OF**
102 **VETERINARY PRACTICE BY THE STATE BOARD OF VETERINARY**
103 **MEDICINE, AND, IN CONNECTION THEREWITH, IMPLEMENTING**
104 **THE RECOMMENDATIONS OF THE 2021 SUNSET REPORT ON THE**
105 **"COLORADO VETERINARY PRACTICE ACT" BY THE**
106 **DEPARTMENT OF REGULATORY AGENCIES, CREATING A**
107 **VETERINARY PROFESSIONAL ASSISTANCE PROGRAM, ADDING**
108 **REGISTRATION REQUIREMENTS FOR VETERINARY TECHNICIANS,**
109 **ADDING VETERINARY TECHNICIANS TO THE STATE BOARD OF**
110 **VETERINARY MEDICINE, AND ALLOWING CERTAIN UNLICENSED**
111 **INDIVIDUALS TO ADMINISTER RABIES VACCINATIONS.**

Bill Summary

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Sunset Process - House Agriculture, Livestock, and Water Committee. The bill implements recommendations of the department of regulatory agencies, as specified in the department's sunset review of and report on the "Colorado Veterinary Practice Act" (practice act), as follows:

- Continues the practice act for 11 years, until September 1, 2033 (**sections 1 and 2** of the bill);
- Requires a veterinarian to notify the board of veterinary medicine (board) if the veterinarian suffers from a physical illness or condition or a behavioral or mental health disorder that renders the veterinarian unable to practice with reasonable skill and safety (**section 6**);
- Repeals the requirement that the board send a letter of admonition by certified mail (**section 14**);
- Requires veterinarians to create a written plan for the storage, security, and disposal of patient records (**section 18**); and
- If the board has reasonable cause to believe a veterinarian is unable to practice with reasonable skill and safety due to a physical condition, authorizes the board to order the veterinarian to submit to an examination and to suspend the veterinarian's license for failing to comply with the board's order (**section 20**).

The bill makes other amendments to the practice act as follows:

- Authorizes a person who is not a licensed veterinarian in this state to administer rabies vaccinations in a clinic setting under direct supervision of a licensed veterinarian, or through the indirect supervision of a licensed veterinarian if the person is working on behalf of an animal shelter for shelter-owned animals (**sections 9 and 22**);
- Adds two members to the board who are veterinary technicians (**section 10**);
- Requires credit hours of practice act jurisprudence as part of veterinarians' continuing education program and permits veterinarians to take nonbiomedical courses as part of the program (**section 12**);
- Repeals and reenacts the veterinary peer health assistance program to reorganize existing provisions, to allow veterinary technicians access to the program, and to require

veterinary professionals, including veterinary technicians, to self-refer to the program upon arrest for a drug- or alcohol-related crime (**section 19**); and

- Creates the veterinary professional assistance program funded through licensing fees to provide counseling, education, coaching, and other services, as requested, to veterinarians and veterinary technicians concerning issues including physical and mental health and wellness, workplace concerns, and legal and financial issues (**section 19**).

Section 21 creates the regulation of veterinary technicians. Effective January 1, 2024, a person who practices as a veterinary technician in this state must be registered by the board. To be registered, a person must have been certified by a national body. For an individual who is not yet nationally certified but who has been practicing as a veterinary technician, the board may issue a provisional registration of limited duration under specified circumstances. Veterinary technicians are subject to discipline by the board for engaging in conduct that is grounds for discipline.

Section 21 gives title protection to veterinary technicians and grants standard registration, rule-making, and disciplinary powers to the board. **Section 21** repeals the regulation of veterinary technicians on September 1, 2033, subject to and consistent with the sunset review of the practice act.

Sections 3 through 5, 7, 8, 10, 11, and 13 through 17 amend existing provisions throughout the practice act to include veterinary technicians, as applicable, and make other conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 12-315-118
3 as follows:

4 **12-315-118. Repeal of article - subject to review.** This article
5 315 is repealed, effective ~~September 1, 2022~~ SEPTEMBER 1, 2033. Before
6 the repeal, the board is scheduled for review in accordance with section
7 24-34-104.

8 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal**
9 (23)(a)(II); and **add** (34)(a)(II) as follows:

10 **24-34-104. General assembly review of regulatory agencies**

1 **and functions for repeal, continuation, or reestablishment - legislative**
2 **declaration - repeal.** (23) (a) The following agencies, functions, or both,
3 are scheduled for repeal on September 1, 2022:

4 (II) ~~The state board of veterinary medicine created in article 315~~
5 ~~of title 12;~~

6 (34) (a) The following agencies, functions, or both, are scheduled
7 for repeal on September 1, 2033:

8 (II) THE STATE BOARD OF VETERINARY MEDICINE CREATED IN
9 ARTICLE 315 OF TITLE 12.

10 **SECTION 3.** In Colorado Revised Statutes, 12-20-404, **amend**
11 (1)(d)(II)(M) as follows:

12 **12-20-404. Disciplinary actions - regulator powers -**
13 **disposition of fines - mistreatment of at-risk adult.** (1) **General**
14 **disciplinary authority.** If a regulator determines that an applicant,
15 licensee, certificate holder, or registrant has committed an act or engaged
16 in conduct that constitutes grounds for discipline or unprofessional
17 conduct under a part or article of this title 12 governing the particular
18 profession or occupation, the regulator may:

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

22 (M) Article 315 of this title 12 concerning veterinarians AND
23 VETERINARY TECHNICIANS.

24 **SECTION 4.** In Colorado Revised Statutes, 12-20-407, **amend**
25 (1)(a)(V)(W) as follows:

26 **12-20-407. Unauthorized practice of profession or occupation**
27 **- penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor

1 and shall be punished as provided in section 18-1.3-501 if the person:

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

6 (W) Veterinary medicine OR AS A VETERINARY TECHNICIAN, as
7 regulated under article 315 of this title 12.

8 **SECTION 5.** In Colorado Revised Statutes, 12-20-408, **amend**
9 (1)(f) as follows:

10 **12-20-408. Judicial review.** (1) Except as specified in subsection
11 (2) of this section, the court of appeals has initial jurisdiction to review
12 all final actions and orders of a regulator that are subject to judicial
13 review and shall conduct the judicial review proceedings in accordance
14 with section 24-4-106 (11); except that, with regard only to
15 cease-and-desist orders, a district court of competent jurisdiction has
16 initial jurisdiction to review a final action or order of a regulator that is
17 subject to judicial review and shall conduct the judicial review
18 proceedings in accordance with section 24-4-106 (3) for the following:

19 (f) Article 315 of this title 12 concerning veterinarians AND
20 VETERINARY TECHNICIANS.

21 **SECTION 6.** In Colorado Revised Statutes, 12-30-108, **repeal**
22 (4)(b)(II) as follows:

23 **12-30-108. Confidential agreement to limit practice - violation**
24 **grounds for discipline.** (4) (b) Subsection (1)(a) of this section
25 regarding notification for confidential agreements does not apply to:

26 (II) ~~Article 315 of this title 12 concerning veterinarians.~~

27 **SECTION 7.** In Colorado Revised Statutes, 12-30-109, **amend**

1 (4)(f) as follows:

2 **12-30-109. Prescriptions - limitations - definition - rules.**

3 (4) As used in this section, "prescriber" means:

4 (f) A veterinarian licensed pursuant to PART 1 OF article 315 of
5 this title 12.

6 **SECTION 8.** In Colorado Revised Statutes, 12-315-104, **amend**
7 (11); and **add** (10.5), (21.5), (24), and (25) as follows:

8 **12-315-104. Definitions.** As used in this article 315, unless the
9 context otherwise requires:

10 (10.5) "INDIRECT SUPERVISION" MEANS SUPERVISION IN WHICH THE
11 SUPERVISING LICENSED VETERINARIAN DIRECTS OR SUPERVISES THE
12 AUTHORIZED DELEGATED TREATMENT OR COLLECTION OF DIAGNOSTIC
13 INFORMATION OF A PATIENT AT VETERINARY PREMISES WITHOUT BEING ON
14 THE PREMISES BUT BEING READILY AVAILABLE FOR COMMUNICATION.

15 (11) "Licensed veterinarian" means a person licensed pursuant to
16 this ~~article 315~~ PART 1.

17 (21.5) "VETERINARY PROFESSIONAL" MEANS A VETERINARIAN
18 LICENSED PURSUANT TO PART 1 OF THIS ARTICLE 315 AND A VETERINARY
19 TECHNICIAN REGISTERED PURSUANT TO PART 2 OF THIS ARTICLE 315.

20 (24) "VETERINARY TECHNICIAN" MEANS A VETERINARY
21 TECHNICIAN REGISTERED PURSUANT TO PART 2 OF THIS ARTICLE 315.

22 (25) "VETERINARY TECHNICIAN CREDENTIALING ORGANIZATION"
23 OR "CREDENTIALING ORGANIZATION" MEANS A VETERINARY TECHNICIAN
24 CREDENTIALING ORGANIZATION APPROVED BY THE BOARD PURSUANT TO
25 SECTION 12-315-201 TO CREDENTIAL VETERINARY TECHNICIANS IN THIS
26 STATE.

27 **SECTION 9.** In Colorado Revised Statutes, 12-315-105, **amend**

1 (1) introductory portion and (1)(b); **repeal** (1)(k); and **add** (1)(q) as
2 follows:

3 **12-315-105. License requirements and exceptions - definitions**

4 **- rules.** (1) ~~No~~ A person ~~may~~ SHALL NOT practice veterinary medicine in
5 this state if the person is not a licensed veterinarian. ~~No~~ A person ~~may~~
6 SHALL NOT practice artificial insemination or ova transplantation of cattle
7 or other animal species in this state except in accordance with section
8 12-315-106 (5)(c). This article 315 does not prohibit:

9 (b) A person who is a ~~regular~~ VETERINARY student OR
10 VETERINARY STUDENT PRECEPTOR in an approved school of veterinary
11 medicine from performing duties or actions ~~assigned by the student's~~
12 ~~instructors or working under the direct supervision of a licensed~~
13 ~~veterinarian~~ AS DESCRIBED IN SECTION 12-315-116;

14 (k) ~~A veterinary student or veterinary student preceptor from~~
15 ~~performing those acts permitted by this article 315;~~

16 (q) (I) (A) A PERSON FROM ADMINISTERING A RABIES VACCINE TO
17 AN ANIMAL IF THE PERSON IS UNDER THE DIRECT SUPERVISION OF A
18 LICENSED VETERINARIAN AND HAS BEEN TRAINED IN RABIES VACCINE
19 STORAGE, HANDLING, AND ADMINISTRATION AND IN THE MANAGEMENT OF
20 ADVERSE EVENTS; OR

21 (B) A PERSON WORKING ON BEHALF OF AN ANIMAL SHELTER FROM
22 ADMINISTERING A RABIES VACCINE TO SHELTER-OWNED ANIMALS IF THE
23 PERSON IS UNDER THE INDIRECT SUPERVISION OF A LICENSED
24 VETERINARIAN AND HAS BEEN TRAINED IN RABIES VACCINE STORAGE,
25 HANDLING, AND ADMINISTRATION AND IN THE MANAGEMENT OF ADVERSE
26 EVENTS.

27 (II) THE VETERINARIAN SIGNING THE RABIES VACCINATION

1 CERTIFICATE SHALL ENSURE THAT THE PERSON WHO ADMINISTERED THE
2 VACCINE PURSUANT TO THIS SUBSECTION (1)(q) IS IDENTIFIED ON THE
3 CERTIFICATE.

4 **SECTION 10.** In Colorado Revised Statutes, 12-315-106, **amend**
5 (1), (2), (5)(a), (5)(b), (5)(d), (5)(g), and (7) as follows:

6 **12-315-106. Board of veterinary medicine - creation - powers**
7 **- rules.** (1) There is hereby created a state board of veterinary medicine
8 consisting of ~~seven~~ NINE members appointed by the governor. Each
9 member shall be appointed for a term of four years. The governor shall
10 appoint members of the board from qualified persons as described in
11 subsection (2) of this section. The governor shall appoint members to fill
12 vacancies on the board caused by death, resignation, or removal for the
13 balance of the unexpired term. ~~No~~ A person shall NOT serve more than
14 two consecutive four-year terms. A person appointed to serve out the
15 balance of an unexpired term may be reappointed for an additional
16 consecutive four-year term. Members of the board may remain on the
17 board until a successor is appointed.

18 (2) The governor shall appoint:

19 (a) Five members to the board who:

20 (I) Are graduates of a school of veterinary medicine; ~~who~~

21 (II) Are residents of this state; and ~~who~~

22 (III) Have been licensed to practice veterinary medicine in this
23 state for the five years preceding the time of the appointment; ~~The~~
24 ~~governor shall appoint~~

25 (b) NOT LATER THAN JANUARY 1, 2023, TWO MEMBERS TO THE
26 BOARD WHO ARE RESIDENTS OF THIS STATE AND WHO, FOR AT LEAST FIVE
27 YEARS IMMEDIATELY PRECEDING THE TIME OF APPOINTMENT:

1 (I) HAVE BEEN CERTIFIED BY A COLORADO ASSOCIATION OF
2 VETERINARY TECHNICIANS; AND

3 (II) HAVE BEEN PRACTICING AS VETERINARY TECHNICIANS IN THIS
4 STATE; AND

5 (c) Two members to the board from the public at large who have
6 no financial or professional association with the veterinary profession.

7 (5) The board has the power to:

8 (a) Examine and determine the qualifications and fitness of
9 applicants for a license to practice veterinary medicine OR FOR
10 REGISTRATION AS A VETERINARY TECHNICIAN in this state;

11 (b) Pursuant to section 12-20-404, issue, renew, deny, suspend, or
12 revoke licenses to practice veterinary medicine OR REGISTRATIONS OF
13 VETERINARY TECHNICIANS in the state or otherwise discipline or fine, or
14 both, licensees OR REGISTRANTS consistent with this article 315 and the
15 rules adopted by the board under this article 315;

16 (d) Establish, pursuant to section 12-20-105, and publish annually
17 a schedule of fees for licensing and registration of veterinarians AND
18 VETERINARY TECHNICIANS. The board shall base the fee on its anticipated
19 financial requirements for the year.

20 (g) Adopt, amend, or repeal rules in accordance with section
21 12-20-204. The board shall adopt rules to establish a uniform system and
22 schedule of fines that it may impose on licensees OR REGISTRANTS for
23 violations of this article 315 or of rules adopted pursuant to this article
24 315.

25 (7) The powers of the board are granted to enable the board to
26 effectively supervise the practice of veterinary medicine AND OF
27 VETERINARY TECHNICIANS and are to be construed liberally to accomplish

1 this objective.

2 **SECTION 11.** In Colorado Revised Statutes, 12-315-107, **amend**
3 (3)(a) as follows:

4 **12-315-107. Application for license - qualifications - rules.**

5 (3) The board may deny a license or may grant a license subject to terms
6 of probation if the board determines that an applicant for a license:

7 (a) Does not possess the qualifications required by this ~~article 315~~
8 PART 1;

9 **SECTION 12.** In Colorado Revised Statutes, 12-315-110, **amend**
10 (1) and (3)(a) as follows:

11 **12-315-110. License renewal - waiver - rules - continuing**
12 **education.** (1) All licenses issued pursuant to this ~~article 315~~ PART 1 are
13 subject to the renewal, expiration, reinstatement, and delinquency fee
14 provisions specified in section 12-20-202 (1) and (2). A person whose
15 license expires is subject to the penalties provided in this ~~article 315~~ PART
16 1 or section 12-20-202 (1).

17 (3) (a) (I) In order to obtain license renewal, each licensee, except
18 as otherwise provided, must complete a board-approved veterinary
19 continuing educational program of at least thirty-two hours biennially.
20 The courses may be taken at any time during the period since the license
21 was last renewed and before the license is due to be renewed. The
22 licensee shall provide satisfactory proof of the completion of all
23 delinquent continuing education requirements. For good cause, the board
24 may prescribe the type and character of continuing education courses to
25 be taken by any doctor of veterinary medicine in order to comply with the
26 requirements of this ~~article 315~~ PART 1.

27 (II) THE BOARD-APPROVED CONTINUING EDUCATIONAL PROGRAM

1 MUST:

2 (A) REQUIRE TWO HOURS OF JURISPRUDENCE ON THE "COLORADO
3 VETERINARY PRACTICE ACT" BIENNIALY; AND

4 (B) PERMIT A LICENSEE TO TAKE UP TO SIXTEEN HOURS OF
5 CONTINUING EDUCATION COURSES IN NONBIOMEDICAL TOPICS, WHICH
6 TOPICS MAY INCLUDE CLIENT COMMUNICATION, MANAGEMENT,
7 LEADERSHIP, AND OTHER TOPICS THAT SUPPORT VETERINARY PRACTICE
8 AND A HIGHLY FUNCTIONAL VETERINARY WORKFORCE.

9 **SECTION 13.** In Colorado Revised Statutes, 12-315-111, **amend**
10 (2) as follows:

11 **12-315-111. Inactive license.** (2) The board may pursue
12 disciplinary proceedings pursuant to section 12-315-112 against a
13 veterinarian whose license is in inactive status pursuant to this section for
14 conduct that violates this ~~article 315~~ PART 1 that the person engages in
15 while in inactive status.

16 **SECTION 14.** In Colorado Revised Statutes, 12-315-112, **amend**
17 (1) introductory portion, (1)(p), (1)(ee), (2), (4), and (6) as follows:

18 **12-315-112. Discipline of licensees.** (1) Upon receipt of a signed
19 complaint by a complainant or upon its own motion, the board may
20 proceed to a hearing in ~~conformity~~ ACCORDANCE with section
21 12-315-113. After a hearing, and by a concurrence of a majority of
22 members, the board may take disciplinary or other action as authorized in
23 section 12-20-404 against an applicant FOR A LICENSE or a licensed
24 veterinarian for any of the following reasons:

25 (p) Conviction of a crime in the courts of this state or of a crime
26 in any other state, any territory, or any other country for an offense related
27 to the conduct regulated by this ~~article 315~~ PART 1, regardless of whether

1 the sentence is deferred. ~~For the purposes of AS USED IN this subsection~~
2 (1)(p), "CONVICTION" INCLUDES a plea of guilty or a plea of nolo
3 contendere accepted by the court. ~~shall be considered as a conviction.~~

4 (ee) Failure to properly supervise a veterinary student, A
5 VETERINARY STUDENT PRECEPTOR, A VETERINARY TECHNICIAN, or OTHER
6 veterinary staff;

7 (2) The board may send a letter of admonition ~~by certified mail,~~
8 to a licensee under the circumstances specified in and in accordance with
9 section 12-20-404 (4).

10 (4) The record of conviction of a felony in a court of competent
11 jurisdiction shall be sufficient evidence for the disciplinary action to be
12 taken as may be deemed proper by the board. For the purposes of this
13 ~~article 315~~ PART 1, a conviction shall be deemed to be a conviction that
14 has been upheld by the highest appellate court having jurisdiction or a
15 conviction upon which the time for filing an appeal has passed.

16 (6) In addition to any other penalty that may be imposed pursuant
17 to this section, any person violating ~~any provision of this article 315~~ PART
18 1 or any rules promulgated pursuant to this ~~article 315~~ PART 1 may be
19 fined not less than one hundred dollars nor more than one thousand
20 dollars for any such violation.

21 **SECTION 15.** In Colorado Revised Statutes, 12-315-114, **amend**
22 (2) and (3) as follows:

23 **12-315-114. Unauthorized practice - penalties.** (2) Any person
24 who practices or offers or attempts to practice veterinary medicine
25 without an active license issued under this ~~article 315~~ PART 1 is subject
26 to penalties pursuant to section 12-20-407 (1)(a).

27 (3) The board or a citizen of this state may bring an action to

1 enjoin a person from practicing veterinary medicine without a currently
2 valid license. If the court finds that the person is violating, or is
3 threatening to violate, this ~~article 315~~, ~~it~~ PART 1, THE COURT may enter an
4 injunction restraining ~~him or her~~ THE PERSON from the unlawful acts.

5 **SECTION 16.** In Colorado Revised Statutes, 12-315-115, **amend**
6 (2) and (3) as follows:

7 **12-315-115. Abandonment of animals - definition.** (2) The
8 giving of notice to the owner, or the agent of the owner, of the animal by
9 the licensed veterinarian, as provided in subsection (1) of this section,
10 shall relieve the licensed veterinarian and any custodian to whom the
11 animal may be given of any further liability for disposal. The procedure
12 by the licensed veterinarian shall not constitute grounds for disciplining
13 procedure under this ~~article 315~~ PART 1.

14 (3) ~~For the purpose of this article 315~~ AS USED IN THIS SECTION,
15 the term "abandoned" means to forsake entirely, or to neglect or refuse to
16 provide or perform the legal obligations for care and support of an animal
17 by its owner or the owner's agent. Abandonment constitutes the
18 relinquishment of all rights and claims by the owner to the animal.

19 **SECTION 17.** In Colorado Revised Statutes, 12-315-116, **amend**
20 (1) introductory portion and (2) as follows:

21 **12-315-116. Veterinary students and veterinary student**
22 **preceptors.** (1) All duties OR ACTIONS performed by a veterinary student
23 OR VETERINARY STUDENT PRECEPTOR must be ASSIGNED BY THE
24 STUDENT'S INSTRUCTOR OR BE PERFORMED under the direct supervision of
25 a licensed veterinarian. If the student does not conform to the following
26 requirements, the licensed veterinarian is in violation of this ~~article 315~~
27 PART 1. A veterinary student OR VETERINARY STUDENT PRECEPTOR may:

1 (2) It is unlawful for a veterinary student OR VETERINARY
2 STUDENT PRECEPTOR to participate in the operation of a branch office,
3 clinic, VETERINARY PREMISES, or allied establishment unless the
4 veterinary student OR VETERINARY STUDENT PRECEPTOR is under the
5 direct supervision of a licensed veterinarian.

6 **SECTION 18.** In Colorado Revised Statutes, 12-315-119, **amend**
7 (3)(b) as follows:

8 **12-315-119. Veterinary records in custody of animal care**
9 **providers - definition - rules.** (3) (b) (I) All practicing veterinarians in
10 this state shall maintain accurate records for every new or existing
11 veterinarian-client-patient relationship. In the animal patient records, the
12 licensed veterinarian shall justify and describe the assessment, diagnosis,
13 and treatment administered or prescribed and all medications and dosages
14 prescribed in a legible, written, printed, or electronically prepared
15 document that is unalterable. The licensed veterinarian shall prepare the
16 records in a manner that allows any subsequent evaluation of the same
17 animal patient record to yield comprehensive medical, patient, and
18 veterinarian identifying information. Licensed veterinarians shall
19 maintain animal patient records for a minimum of three years after the
20 animal patient's last medical examination.

21 (II) AS PART OF THE REQUIREMENT IN SUBSECTION (3)(b)(I) OF
22 THIS SECTION FOR ALL PRACTICING VETERINARIANS IN THIS STATE TO
23 MAINTAIN ACCURATE RECORDS, EACH VETERINARIAN SHALL CREATE A
24 WRITTEN PLAN FOR THE STORAGE, SECURITY, AND DISPOSAL OF PATIENT
25 RECORDS TO ENSURE THAT PATIENT RECORDS ARE SECURELY STORED AND
26 DISPOSED OF WHEN NECESSARY.

27 **SECTION 19.** In Colorado Revised Statutes, **repeal and reenact,**

1 **with amendments**, 12-315-123 as follows:

2 **12-315-123. Veterinary peer health assistance program -**
3 **veterinary professional assistance program - fees - administration -**

4 **rules. (1) Veterinary peer health assistance program. (a)** THERE IS
5 CREATED THE VETERINARY PEER HEALTH ASSISTANCE PROGRAM TO
6 PROVIDE ASSISTANCE TO VETERINARY PROFESSIONALS NEEDING HELP IN
7 DEALING WITH PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL CONDITIONS
8 THAT MAY BE DETRIMENTAL TO THEIR ABILITY TO PRACTICE UNDER THIS
9 ARTICLE 315. THE BOARD SHALL SELECT ONE OR MORE VETERINARY PEER
10 HEALTH ASSISTANCE PROGRAM DESIGNATED PROVIDERS. TO BE ELIGIBLE
11 FOR DESIGNATION BY THE BOARD, A PROVIDER MUST:

12 (I) PROVIDE FOR THE EDUCATION OF VETERINARY PROFESSIONALS
13 WITH RESPECT TO THE RECOGNITION AND PREVENTION OF PHYSICAL,
14 EMOTIONAL, AND PSYCHOLOGICAL CONDITIONS AND PROVIDE FOR
15 INTERVENTION WHEN NECESSARY OR UNDER CIRCUMSTANCES
16 ESTABLISHED BY THE BOARD BY RULE;

17 (II) OFFER ASSISTANCE TO A VETERINARY PROFESSIONAL IN
18 IDENTIFYING PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL CONDITIONS;

19 (III) EVALUATE THE EXTENT OF THE PHYSICAL, EMOTIONAL, OR
20 PSYCHOLOGICAL CONDITION AND REFER THE VETERINARY PROFESSIONAL
21 FOR APPROPRIATE TREATMENT;

22 (IV) MONITOR THE STATUS OF A VETERINARY PROFESSIONAL
23 REFERRED FOR TREATMENT;

24 (V) PROVIDE COUNSELING AND SUPPORT FOR THE VETERINARY
25 PROFESSIONAL AND FOR THE FAMILY OF ANY VETERINARY PROFESSIONAL
26 REFERRED FOR TREATMENT;

27 (VI) AGREE TO RECEIVE REFERRALS FROM THE BOARD; AND

1 (VII) AGREE TO MAKE ITS SERVICES AVAILABLE TO ALL
2 REGULATED VETERINARY PROFESSIONALS IN COLORADO.

3 (b) UPON RECEIPT OF A SIGNED COMPLAINT BY A COMPLAINANT,
4 THE BOARD MAY REQUIRE A VETERINARY PROFESSIONAL TO PARTICIPATE
5 IN THE VETERINARY PEER HEALTH ASSISTANCE PROGRAM AND TO ENTER
6 INTO A STIPULATION WITH THE BOARD PURSUANT TO SECTION 12-20-405
7 (3) BEFORE PARTICIPATING IN THE PROGRAM. THE AGREEMENT MUST
8 CONTAIN SPECIFIC REQUIREMENTS AND GOALS TO BE MET BY THE
9 PARTICIPANT, INCLUDING THE CONDITIONS UNDER WHICH THE PROGRAM
10 WILL BE SUCCESSFULLY COMPLETED OR TERMINATED, AND A PROVISION
11 THAT A FAILURE TO COMPLY WITH THE REQUIREMENTS AND GOALS IS TO
12 BE PROMPTLY REPORTED TO THE BOARD AND THAT FAILURE WILL RESULT
13 IN DISCIPLINARY ACTION BY THE BOARD.

14 (c) NOTWITHSTANDING SECTIONS 12-315-112, 12-315-207, AND
15 24-4-104, THE BOARD MAY IMMEDIATELY SUSPEND THE LICENSE OR
16 REGISTRATION OF ANY VETERINARY PROFESSIONAL WHO IS REFERRED TO
17 THE VETERINARY PEER HEALTH ASSISTANCE PROGRAM. IF THE
18 VETERINARY PROFESSIONAL OBJECTS TO THE SUSPENSION, THE
19 VETERINARY PROFESSIONAL MAY SUBMIT A WRITTEN REQUEST TO THE
20 BOARD FOR A FORMAL HEARING ON THE SUSPENSION WITHIN TEN DAYS
21 AFTER RECEIVING NOTICE OF THE SUSPENSION, AND THE BOARD SHALL
22 GRANT THE REQUEST. IN THE HEARING, THE VETERINARY PROFESSIONAL
23 BEARS THE BURDEN OF PROVING THAT THE VETERINARY PROFESSIONAL'S
24 LICENSE OR REGISTRATION SHOULD NOT BE SUSPENDED.

25 (d) ANY VETERINARY PROFESSIONAL WHO IS ACCEPTED INTO THE
26 VETERINARY PEER HEALTH ASSISTANCE PROGRAM IN LIEU OF DISCIPLINARY
27 ACTION BY THE BOARD SHALL AFFIRM THAT, TO THE BEST OF THE

1 VETERINARY PROFESSIONAL'S KNOWLEDGE, INFORMATION, AND BELIEF,
2 THE VETERINARY PROFESSIONAL KNOWS OF NO INSTANCE IN WHICH THE
3 VETERINARY PROFESSIONAL HAS VIOLATED THIS ARTICLE 315 OR THE
4 RULES OF THE BOARD, EXCEPT IN THOSE INSTANCES AFFECTED BY THE
5 VETERINARY PROFESSIONAL'S PHYSICAL, EMOTIONAL, OR PSYCHOLOGICAL
6 CONDITION.

7 (e) A VETERINARY PROFESSIONAL WHO IS ARRESTED FOR A DRUG-
8 OR ALCOHOL-RELATED OFFENSE SHALL SELF-REFER TO THE VETERINARY
9 PEER HEALTH ASSISTANCE PROGRAM WITHIN THIRTY DAYS AFTER THE
10 ARREST FOR AN EVALUATION AND REFERRAL TO APPROPRIATE
11 TREATMENT, IF NECESSARY. IF THE VETERINARY PROFESSIONAL
12 SELF-REFERS, THE EVALUATION BY THE VETERINARY PEER HEALTH
13 ASSISTANCE PROGRAM IS CONFIDENTIAL AND CANNOT BE USED AS
14 EVIDENCE IN ANY PROCEEDING OTHER THAN A PROCEEDING BEFORE THE
15 BOARD. A VETERINARY PROFESSIONAL'S FAILURE TO COMPLY WITH THIS
16 SUBSECTION (1)(e), ALONE, IS NOT GROUNDS FOR DISCIPLINE UNDER
17 SECTION 12-315-112 OR 12-315-207, UNLESS THE VETERINARY
18 PROFESSIONAL HAS ALSO COMMITTED AN ACT OR OMISSION SPECIFIED IN
19 THIS ARTICLE 315.

20 (f) AS A CONDITION OF LICENSURE OR REGISTRATION AND
21 RENEWAL OF A LICENSE OR REGISTRATION IN THIS STATE, EVERY
22 VETERINARY PROFESSIONAL APPLYING FOR A NEW LICENSE OR
23 REGISTRATION OR TO RENEW A LICENSE OR REGISTRATION SHALL PAY TO
24 THE BOARD, FOR USE BY THE ADMINISTERING ENTITY SELECTED BY THE
25 BOARD PURSUANT TO SUBSECTION (3) OF THIS SECTION, A FEE IN AN
26 AMOUNT NOT TO EXCEED FORTY DOLLARS PER YEAR, WHICH MAXIMUM
27 AMOUNT MAY BE ADJUSTED ON JANUARY 1, 2012, AND ANNUALLY

1 THEREAFTER BY THE BOARD TO REFLECT CHANGES IN THE UNITED STATES
2 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR
3 DENVER-AURORA-LAKEWOOD FOR ALL URBAN CONSUMERS OR GOODS, OR
4 ITS SUCCESSOR INDEX. THE BOARD SHALL FORWARD THE FEE TO THE
5 CHOSEN ADMINISTERING ENTITY FOR USE IN SUPPORTING VETERINARY
6 PROFESSIONALS THROUGH THE VETERINARY PEER HEALTH ASSISTANCE
7 PROGRAM.

8 **(2) Veterinary professional assistance program.** (a) THERE IS
9 CREATED THE VETERINARY PROFESSIONAL ASSISTANCE PROGRAM TO
10 PROVIDE SERVICES DESCRIBED IN THIS SUBSECTION (2)(a) FOR
11 VETERINARY PROFESSIONALS. THE BOARD SHALL SELECT ONE OR MORE
12 VETERINARY PROFESSIONAL ASSISTANCE PROGRAM DESIGNATED
13 PROVIDERS. TO BE ELIGIBLE FOR DESIGNATION BY THE BOARD, A PROVIDER
14 MUST:

15 (I) PROVIDE EDUCATION TO VETERINARY PROFESSIONALS TO
16 ASSIST THE PROFESSIONALS IN RECOGNIZING AND PREVENTING HARMFUL
17 PHYSICAL, EMOTIONAL, AND PSYCHOLOGICAL CONDITIONS;

18 (II) OFFER ASSISTANCE, AS REQUESTED, TO VETERINARY
19 PROFESSIONALS IN IDENTIFYING A HARMFUL PHYSICAL, EMOTIONAL, OR
20 PSYCHOLOGICAL CONDITION AND IN EVALUATING THE EXTENT OF THE
21 CONDITION;

22 (III) OFFER PERSONALIZED AND CONFIDENTIAL GUIDANCE,
23 PROFESSIONAL COACHING, AND COUNSELING, AS REQUESTED, FOR ALL
24 VETERINARY PROFESSIONALS RELATING TO ISSUES AFFECTING VETERINARY
25 PROFESSIONALS, WHICH ISSUES MAY INCLUDE WORKPLACE CONCERNS,
26 LEGAL AND FINANCIAL ISSUES, STRESS MANAGEMENT, PHYSICAL AND
27 MENTAL HEALTH AND WELLNESS, AND OTHER ISSUES;

1 (IV) PROVIDE SERVICES, AS REQUESTED, ON A CONFIDENTIAL BASIS
2 TO VETERINARY PROFESSIONALS WITH NO CONNECTION TO THE
3 VETERINARY PROFESSIONAL DISCIPLINE PROCESS; AND

4 (V) AGREE TO MAKE SERVICES AVAILABLE TO ALL VETERINARY
5 PROFESSIONALS.

6 (b) THE BOARD SHALL PROMULGATE RULES CONCERNING THE
7 SCOPE AND DURATION OF SERVICES PROVIDED UNDER THE VETERINARY
8 PROFESSIONAL ASSISTANCE PROGRAM.

9 (c) AS A CONDITION OF LICENSURE OR REGISTRATION AND
10 RENEWAL OF A LICENSE OR REGISTRATION IN THIS STATE, EVERY
11 VETERINARY PROFESSIONAL APPLYING FOR A NEW LICENSE OR
12 REGISTRATION OR TO RENEW A LICENSE OR REGISTRATION SHALL PAY TO
13 THE BOARD, FOR USE BY THE ADMINISTERING ENTITY SELECTED BY THE
14 BOARD PURSUANT TO SUBSECTION (3) OF THIS SECTION, A FEE IN AN
15 AMOUNT DETERMINED BY BOARD RULE THAT MAY BE ADJUSTED
16 ANNUALLY THEREAFTER BY THE BOARD TO REFLECT CHANGES IN THE
17 UNITED STATES BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX
18 FOR DENVER-AURORA-LAKEWOOD FOR ALL URBAN CONSUMERS OR
19 GOODS, OR ITS SUCCESSOR INDEX. THE BOARD SHALL FORWARD THE FEE
20 TO THE CHOSEN ADMINISTERING ENTITY FOR USE IN SUPPORTING
21 VETERINARY PROFESSIONALS THROUGH THE VETERINARY PROFESSIONAL
22 ASSISTANCE PROGRAM.

23 (3) **Administering entity.** (a) THE BOARD MAY SELECT AN ENTITY
24 TO ADMINISTER THE VETERINARY PEER HEALTH ASSISTANCE PROGRAM
25 AND THE VETERINARY PROFESSIONAL ASSISTANCE PROGRAM. THE
26 ADMINISTERING ENTITY MUST BE A NONPROFIT PRIVATE FOUNDATION
27 THAT IS QUALIFIED UNDER SECTION 501 (c)(3) OF THE FEDERAL "INTERNAL

1 REVENUE CODE OF 1986", AS AMENDED, AND THAT IS DEDICATED TO
2 PROVIDING SUPPORT FOR CHARITABLE, BENEVOLENT, EDUCATIONAL, AND
3 SCIENTIFIC PURPOSES THAT ARE RELATED TO VETERINARY MEDICINE,
4 VETERINARY MEDICAL EDUCATION, VETERINARY MEDICAL RESEARCH AND
5 SCIENCE, AND OTHER VETERINARY MEDICAL CHARITABLE PURPOSES.

6 (b) THE ADMINISTERING ENTITY SHALL:

7 (I) DISTRIBUTE THE MONEY COLLECTED BY THE BOARD, LESS
8 EXPENSES, TO THE DESIGNATED PROVIDERS, AS DIRECTED BY THE BOARD;

9 (II) PROVIDE AN ANNUAL ACCOUNTING TO THE BOARD OF ALL
10 AMOUNTS COLLECTED, EXPENSES INCURRED, AND AMOUNTS DISBURSED;
11 AND

12 (III) POST A SURETY PERFORMANCE BOND IN AN AMOUNT
13 SPECIFIED BY THE BOARD TO SECURE PERFORMANCE UNDER THE
14 REQUIREMENTS OF THIS SECTION. THE ADMINISTERING ENTITY MAY
15 RECOVER THE ACTUAL ADMINISTRATIVE COSTS INCURRED IN PERFORMING
16 ITS DUTIES UNDER THIS SECTION IN AN AMOUNT NOT TO EXCEED TEN
17 PERCENT OF THE TOTAL AMOUNT COLLECTED.

18 (c) THE BOARD SHALL COLLECT THE REQUIRED ANNUAL PAYMENTS
19 PAYABLE TO THE ADMINISTERING ENTITY FOR THE BENEFIT OF THE
20 ADMINISTERING ENTITY AND SHALL TRANSFER ALL THE PAYMENTS TO THE
21 ADMINISTERING ENTITY. ALL REQUIRED ANNUAL PAYMENTS COLLECTED
22 OR DUE TO THE BOARD FOR EACH STATE FISCAL YEAR ARE CUSTODIAL
23 FUNDS THAT ARE NOT SUBJECT TO APPROPRIATION BY THE GENERAL
24 ASSEMBLY, AND THE DISTRIBUTION OF PAYMENTS TO THE ADMINISTERING
25 ENTITY OR EXPENDITURE OF THE PAYMENTS BY THE ADMINISTERING
26 ENTITY DOES NOT CONSTITUTE STATE FISCAL YEAR SPENDING FOR
27 PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

1 **(4) Liability limitations.** NOTHING IN THIS SECTION CREATES ANY
2 LIABILITY ON THE BOARD OR THE STATE OF COLORADO FOR THE ACTIONS
3 OF THE BOARD IN MAKING GRANTS TO THE VETERINARY PEER HEALTH
4 ASSISTANCE PROGRAM OR THE VETERINARY PROFESSIONAL ASSISTANCE
5 PROGRAM, AND A CIVIL ACTION SHALL NOT BE BROUGHT OR MAINTAINED
6 AGAINST THE BOARD OR THE STATE FOR AN INJURY ALLEGED TO HAVE
7 BEEN THE RESULT OF THE ACTIVITIES OF ANY STATE-FUNDED VETERINARY
8 PEER HEALTH ASSISTANCE PROGRAM OR VETERINARY PROFESSIONAL
9 ASSISTANCE PROGRAM OR THE RESULT OF AN ACT OR OMISSION OF A
10 VETERINARY PROFESSIONAL PARTICIPATING IN OR REFERRED BY A
11 STATE-FUNDED VETERINARY PEER HEALTH ASSISTANCE PROGRAM OR
12 VETERINARY PROFESSIONAL ASSISTANCE PROGRAM. HOWEVER, THE STATE
13 REMAINS LIABLE UNDER THE "COLORADO GOVERNMENTAL IMMUNITY
14 ACT", ARTICLE 10 OF TITLE 24, IF AN INJURY ALLEGED TO HAVE BEEN THE
15 RESULT OF AN ACT OR OMISSION OF A VETERINARY PROFESSIONAL
16 PARTICIPATING IN OR REFERRED TO A STATE-FUNDED VETERINARY PEER
17 HEALTH ASSISTANCE PROGRAM OCCURRED WHILE THE VETERINARY
18 PROFESSIONAL WAS PERFORMING DUTIES AS AN EMPLOYEE OF THE STATE.

19 **(5) Rules.** THE BOARD MAY PROMULGATE RULES NECESSARY TO
20 IMPLEMENT THIS SECTION.

21 **SECTION 20.** In Colorado Revised Statutes, 12-315-124, **amend**
22 **(1)(a)** as follows:

23 **12-315-124. Evaluations of licensees - behavioral health -**
24 **mental health - physical conditions.** (1) (a) (I) If, upon receipt of a
25 signed complaint by a complainant, the board has reasonable cause to
26 believe that a licensed veterinarian is unable to practice veterinary
27 medicine with reasonable skill and safety to patients or clients due to a

1 PHYSICAL CONDITION OR A behavioral HEALTH, mental health, or
2 substance use disorder, the board may require in writing that the licensed
3 veterinarian submit to an examination to evaluate:

4 (A) The existence and extent of the PHYSICAL CONDITION OR THE
5 behavioral HEALTH, mental health, or substance use disorder; and

6 (B) Any impact the PHYSICAL CONDITION OR THE behavioral
7 HEALTH, mental health, or substance use disorder has on the licensed
8 veterinarian's ability to practice veterinary medicine with reasonable skill
9 and safety to patients and clients.

10 (II) A qualified professional employed by or contracting with a
11 ~~veterinarian~~ THE VETERINARY peer health assistance program that the
12 board has selected as a designated provider under section 12-315-123
13 shall conduct an examination required by subsection (1)(a)(I) of this
14 section.

15 **SECTION 21.** In Colorado Revised Statutes, **add** part 2 to article
16 315 of title 12 as follows:

17 PART 2

18 VETERINARY TECHNICIANS

19 **12-315-201. Additional board duties - rules - repeal.** (1) IN
20 ADDITION TO ANY OTHER DUTIES SPECIFIED IN THIS PART 2 OR SECTION
21 12-315-106, THE BOARD SHALL:

22 (a) APPROVE A NATIONALLY RECOGNIZED VETERINARY
23 TECHNICIAN CREDENTIALING ORGANIZATION FOR PURPOSES OF
24 CREDENTIALING VETERINARY TECHNICIANS IN THIS STATE. THE
25 CREDENTIALING ORGANIZATION APPROVED BY THE BOARD MUST:

26 (I) REQUIRE THE COMPLETION OF AN AMERICAN VETERINARY
27 MEDICAL ASSOCIATION-ACCREDITED PROGRAM FOR VETERINARY

1 TECHNICIANS;

2 (II) REQUIRE THAT AN APPLICANT PASS A VETERINARY TECHNICIAN
3 NATIONAL EXAMINATION APPROVED BY THE BOARD;

4 (III) REQUIRE CONTINUING EDUCATION FOR VETERINARY
5 TECHNICIANS; AND

6 (IV) (A) PERMIT CREDENTIALING OF PROVISIONAL REGISTRANTS
7 WHO MEET THE WORK EXPERIENCE AND TESTING REQUIREMENTS SPECIFIED
8 IN SECTION 12-315-203 (4).

9 (B) THIS SUBSECTION (1)(a)(IV) IS REPEALED, EFFECTIVE JULY 1,
10 2028.

11 (b) RECEIVE COMPLAINTS, CONDUCT HEARINGS IN ACCORDANCE
12 WITH THIS PART 2 AND SECTION 12-315-113, AND TAKE DISCIPLINARY OR
13 OTHER ACTIONS PURSUANT TO THIS PART 2 AND SECTION 12-20-404.

14 **12-315-202. Registration required - rules.** EFFECTIVE JANUARY
15 1, 2024, A PERSON WHO PRACTICES AS A VETERINARY TECHNICIAN IN THIS
16 STATE MUST BE REGISTERED BY THE BOARD PURSUANT TO THIS PART 2
17 AND RULES ADOPTED BY THE BOARD FOR THE REGISTRATION OF
18 VETERINARY TECHNICIANS.

19 **12-315-203. Application for veterinary technician registration**
20 **- qualifications - provisional registration - fee - rules - repeal.** (1) A
21 PERSON WHO DESIRES TO PRACTICE AS A VETERINARY TECHNICIAN IN THIS
22 STATE MUST FILE AN APPLICATION FOR REGISTRATION WITH THE BOARD,
23 ALONG WITH THE REQUIRED APPLICATION FEE, IN THE MANNER
24 DETERMINED BY THE BOARD.

25 (2) TO BE QUALIFIED FOR REGISTRATION, AN APPLICANT MUST:

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

27 (b) DEMONSTRATE TO THE BOARD'S SATISFACTION THAT THE

1 APPLICANT HAS OBTAINED AND MAINTAINS IN GOOD STANDING
2 CREDENTIALING AS A VETERINARY TECHNICIAN FROM THE VETERINARY
3 TECHNICIAN CREDENTIALING ORGANIZATION.

4 (3) COMMENCING JANUARY 1, 2023, THE BOARD SHALL ISSUE A
5 REGISTRATION TO A QUALIFIED APPLICANT WHO MEETS THE
6 REQUIREMENTS AND QUALIFICATIONS OF THIS SECTION AND BOARD RULES;
7 EXCEPT THAT THE BOARD MAY DENY REGISTRATION TO AN APPLICANT
8 WHO HAS COMMITTED AN ACT THAT WOULD BE GROUNDS FOR
9 DISCIPLINARY ACTION PURSUANT TO SECTION 12-315-207.

10 (4) (a) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS SECTION,
11 A PERSON WORKING IN THE ROLE OF A VETERINARY TECHNICIAN ON AND
12 AFTER JANUARY 1, 2023, WHO DOES NOT MEET THE REQUIREMENTS SET
13 FORTH IN SUBSECTION (2)(b) OF THIS SECTION MAY FILE WITH THE BOARD
14 AN APPLICATION FOR A PROVISIONAL REGISTRATION NOT LATER THAN
15 JANUARY 1, 2024, ALONG WITH THE REQUIRED APPLICATION FEE, IN THE
16 MANNER DETERMINED BY THE BOARD.

17 (b) A PROVISIONAL REGISTRATION ISSUED PURSUANT TO THIS
18 SUBSECTION (4) MAY BE RENEWED, AS DETERMINED BY THE BOARD BY
19 RULE. THE PROVISIONAL REGISTRATION EXPIRES THE EARLIER OF:

20 (I) THE DATE ON WHICH THE BOARD ISSUES A REGISTRATION TO AN
21 APPLICANT PURSUANT TO SUBSECTION (3) OF THIS SECTION;

22 (II) TWENTY-EIGHT DAYS AFTER THE PERSON HAS SATISFIED THE
23 REQUIREMENTS IN SUBSECTION (4)(c)(I) OR (4)(c)(II) OF THIS SECTION
24 AND IS ELIGIBLE TO APPLY TO THE CREDENTIALING ORGANIZATION FOR
25 CREDENTIALING IN THIS STATE;

26 (III) THE DATE ON WHICH THE BOARD DENIES THE PROVISIONAL
27 REGISTRATION RENEWAL APPLICATION; OR

1 (IV) JANUARY 1, 2028.

2 (c) THE CREDENTIALING ORGANIZATION SHALL ACCEPT AS
3 SATISFACTION OF EDUCATIONAL AND TESTING REQUIREMENTS FOR
4 CREDENTIALING A PERSON HOLDING A PROVISIONAL REGISTRATION IN
5 GOOD STANDING WHO APPLIES FOR CREDENTIALING NOT LATER THAN
6 DECEMBER 31, 2027, AND WHO DEMONSTRATES TO THE CREDENTIALING
7 ORGANIZATION'S SATISFACTION THAT THE PROVISIONAL REGISTRANT HAS
8 EITHER:

9 (I) OBTAINED AT LEAST SIX THOUSAND FIVE HUNDRED HOURS OF
10 WORK EXPERIENCE EQUIVALENT TO THE WORK PERFORMED BY A
11 VETERINARY TECHNICIAN AND HAS PASSED A NATIONAL VETERINARY
12 TECHNICIAN EXAMINATION APPROVED BY THE BOARD PURSUANT TO
13 SECTION 12-315-201 (1)(a)(II); OR

14 (II) HAS OBTAINED AT LEAST NINE THOUSAND HOURS OF WORK
15 EXPERIENCE EQUIVALENT TO THE WORK PERFORMED BY A VETERINARY
16 TECHNICIAN.

17 (d) A PERSON HOLDING A PROVISIONAL REGISTRATION IS SUBJECT
18 TO DISCIPLINE PURSUANT TO SECTION 12-315-207.

19 (e) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SUBSECTION
20 (4) TO THE CONTRARY, THE BOARD MAY ESTABLISH, BY RULE, A PROCESS
21 FOR AND CONDITIONS UNDER WHICH A PROVISIONAL REGISTRANT MAY
22 APPLY FOR A HARDSHIP EXTENSION TO EXTEND, TO A DATE NOT LATER
23 THAN JUNE 30, 2028:

24 (I) THE VALIDITY OF A PROVISIONAL REGISTRATION;

25 (II) THE TIME WITHIN WHICH THE PROVISIONAL REGISTRANT MAY
26 SATISFY THE EDUCATION AND TESTING REQUIREMENTS; OR

27 (III) THE DATE BY WHICH THE PROVISIONAL REGISTRANT MUST

1 APPLY TO THE CREDENTIALING ORGANIZATION.

2 (f) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE OCTOBER 1,
3 2028.

4 (5) THE BOARD SHALL MAKE AVAILABLE ON ITS WEBSITE THE
5 REQUIREMENTS FOR CREDENTIALING BY THE CREDENTIALING
6 ORGANIZATION, AS WELL AS INFORMATION CONCERNING THE VETERINARY
7 TECHNICIAN REGISTRATION BY ENDORSEMENT UNDER SECTION 12-315-205
8 AND THE OCCUPATIONAL CREDENTIAL PORTABILITY PROGRAM.

9 **12-315-204. Use of title restricted.** ON AND AFTER JANUARY 1,
10 2024, ONLY A PERSON WHO IS REGISTERED PURSUANT TO THIS PART 2 MAY
11 USE THE TITLE "VETERINARY TECHNICIAN" OR "REGISTERED VETERINARY
12 TECHNICIAN" OR THE INITIALS "VT" OR "RVT".

13 **12-315-205. Veterinary technicians - registration by**
14 **endorsement.** THE BOARD MAY ISSUE A REGISTRATION BY ENDORSEMENT
15 TO A VETERINARY TECHNICIAN APPLICANT WHO SATISFIES THE
16 REQUIREMENTS OF THE OCCUPATIONAL CREDENTIAL PORTABILITY
17 PROGRAM.

18 **12-315-206. Expiration, renewal, reinstatement, or**
19 **reactivation of a registration - inactive status - rules - definition.**

20 (1) A REGISTRATION ISSUED PURSUANT TO THIS PART 2 IS SUBJECT TO THE
21 RENEWAL, EXPIRATION, REINSTATEMENT, AND DELINQUENCY FEE
22 PROVISIONS SPECIFIED IN SECTION 12-20-202 (1) AND (2). A PERSON
23 WHOSE REGISTRATION EXPIRES IS SUBJECT TO THE PENALTIES PROVIDED
24 IN THIS PART 2 OR SECTION 12-20-202 (1).

25 (2) THE BOARD, BY RULE, MAY WAIVE A VETERINARY
26 TECHNICIAN'S RENEWAL FEE WHILE THE VETERINARY TECHNICIAN IS ON
27 ACTIVE DUTY WITH ANY BRANCH OF THE ARMED SERVICES OF THE UNITED

1 STATES. THE PERIOD DURING WHICH THE RENEWAL FEE IS WAIVED CANNOT
2 EXCEED THE LONGER OF THREE YEARS OR THE DURATION OF A NATIONAL
3 EMERGENCY.

4 (3) THE BOARD SHALL NOT RENEW, REINSTATE, OR REACTIVATE A
5 REGISTRATION ISSUED PURSUANT TO SECTION 12-315-203 (3) UNLESS THE
6 VETERINARY TECHNICIAN DEMONSTRATES TO THE BOARD'S SATISFACTION
7 THAT THE VETERINARY TECHNICIAN MAINTAINS ACTIVE CREDENTIALING
8 WITH THE CREDENTIALING ORGANIZATION. SUBJECT TO BOARD RULE, THE
9 EVIDENCE MAY BE PROVIDED BY AN ATTESTATION ON THE REGISTRATION
10 APPLICATION.

11 (4) (a) UPON NOTICE TO THE BOARD, THE BOARD SHALL TRANSFER
12 A VETERINARY TECHNICIAN'S REGISTRATION TO INACTIVE STATUS. IF A
13 PERSON WHOSE REGISTRATION IS IN INACTIVE STATUS WISHES TO RESUME
14 PRACTICING AS A VETERINARY TECHNICIAN, THE PERSON SHALL APPLY TO
15 THE BOARD IN A FORM AND MANNER APPROVED BY THE BOARD AND SHALL
16 DEMONSTRATE, TO THE SATISFACTION OF THE BOARD, THAT THE PERSON
17 HAS OBTAINED AND MAINTAINS CREDENTIALING IN GOOD STANDING BY
18 THE CREDENTIALING ORGANIZATION.

19 (b) THE BOARD MAY PURSUE DISCIPLINARY PROCEEDINGS
20 PURSUANT TO SECTION 12-315-207 AGAINST A VETERINARY TECHNICIAN
21 WHOSE REGISTRATION IS INACTIVE PURSUANT TO THIS SUBSECTION (4) FOR
22 CONDUCT THAT VIOLATES THIS PART 2 THAT THE PERSON ENGAGES IN
23 WHILE THE REGISTRATION IS IN INACTIVE STATUS.

24 **12-315-207. Discipline of a registered veterinary technician -**
25 **repeal.** (1) UPON RECEIPT OF A SIGNED COMPLAINT BY A COMPLAINANT
26 OR UPON ITS OWN MOTION, THE BOARD MAY PROCEED TO A HEARING IN
27 ACCORDANCE WITH SECTION 12-315-113. AFTER A HEARING, AND BY A

1 CONCURRENCE OF A MAJORITY OF MEMBERS, THE BOARD MAY TAKE
2 DISCIPLINARY ACTION AS AUTHORIZED IN SECTION 12-20-404 AGAINST AN
3 APPLICANT FOR A REGISTRATION OR A REGISTERED VETERINARY
4 TECHNICIAN FOR ANY OF THE FOLLOWING REASONS:

5 (a) VIOLATION OF ANY PROVISION OF THIS ARTICLE 315, AN
6 APPLICABLE PROVISION OF ARTICLE 20 OR 30 OF THIS TITLE 12, OR ANY
7 RULE OR ORDER OF THE BOARD;

8 (b) (I) FRAUD, MISREPRESENTATION, OR DECEPTION IN
9 ATTEMPTING TO OBTAIN OR IN OBTAINING A REGISTRATION OR RENEWING
10 A REGISTRATION;

11 (II) (A) FRAUD, MISREPRESENTATION, OR DECEPTION IN
12 ATTEMPTING TO OBTAIN OR IN OBTAINING A PROVISIONAL REGISTRATION
13 OR RENEWING A PROVISIONAL REGISTRATION;

14 (B) THIS SUBSECTION (1)(b)(II) IS REPEALED, EFFECTIVE OCTOBER
15 1, 2028.

16 (c) CONVICTION OF A CHARGE OF CRUELTY TO ANIMALS;

17 (d) WILLFULLY MAKING ANY FALSE STATEMENT AS TO ANY
18 MATERIAL MATTER IN ANY OATH OR AFFIDAVIT THAT IS REQUIRED BY THIS
19 ARTICLE 315;

20 (e) UNPROFESSIONAL OR UNETHICAL CONDUCT OR ENGAGING IN
21 PRACTICES THAT ARE IN VIOLATION OF GENERALLY ACCEPTED STANDARDS
22 FOR PRACTICE AS A VETERINARY TECHNICIAN OR PRESCRIBED BY THE
23 RULES OF THE BOARD;

24 (f) THE VETERINARY TECHNICIAN:

25 (I) HAS A REGISTRATION OR CREDENTIAL AS A VETERINARY
26 TECHNICIAN IN ANOTHER STATE REVOKED OR SUSPENDED;

27 (II) IS OTHERWISE DISCIPLINED BY ANOTHER STATE; OR

1 (III) HAS COMMITTED ACTS IN ANOTHER STATE THAT WOULD
2 SUBJECT THE PERSON TO DISCIPLINARY ACTION IN THIS STATE;

3 (g) PRACTICING AS A VETERINARY TECHNICIAN WHILE IN INACTIVE
4 STATUS OR WHILE THE PERSON'S REGISTRATION IS EXPIRED;

5 (h) FAILING TO NOTIFY THE BOARD WITHIN THIRTY DAYS AFTER A
6 DISCIPLINARY ACTION, WHETHER IN THIS STATE OR IN ANOTHER STATE,
7 AGAINST THE PERSON'S CREDENTIAL THAT ALLOWS THE PERSON TO HOLD
8 A REGISTRATION IN THIS STATE;

9 (i) CONVICTION OF A VIOLATION OF THE "UNIFORM CONTROLLED
10 SUBSTANCES ACT OF 2013", ARTICLE 18 OF TITLE 18; THE FEDERAL
11 "CONTROLLED SUBSTANCES ACT", 21 U.S.C. SEC. 801 ET SEQ., AS
12 AMENDED; OR THE FEDERAL "CONTROLLED SUBSTANCES IMPORT AND
13 EXPORT ACT", 21 U.S.C. SEC. 951 ET SEQ., AS AMENDED;

14 (j) CONVICTION OF A CRIME IN THE COURTS OF THIS STATE OR OF
15 A CRIME IN ANY OTHER STATE, ANY TERRITORY, OR ANY OTHER COUNTRY
16 FOR AN OFFENSE RELATED TO THE CONDUCT REGULATED BY THIS PART 2,
17 REGARDLESS OF WHETHER THE SENTENCE IS DEFERRED. AS USED IN THIS
18 SUBSECTION (1)(j), "CONVICTION" INCLUDES A PLEA OF GUILTY OR A PLEA
19 OF NOLO CONTENDERE ACCEPTED BY THE COURT.

20 (k) HABITUAL OR EXCESSIVE USE OR ABUSE OF ALCOHOL
21 BEVERAGES, A HABIT-FORMING DRUG, OR A CONTROLLED SUBSTANCE AS
22 DEFINED IN SECTION 18-18-102 (5);

23 (l) A DETERMINATION THAT THE INDIVIDUAL IS MENTALLY
24 INCOMPETENT BY A COURT OF COMPETENT JURISDICTION, AND THE COURT
25 HAS ENTERED, PURSUANT TO PART 3 OR 4 OF ARTICLE 14 OF TITLE 15 OR
26 SECTION 27-65-109 (4) OR 27-65-127, AN ORDER SPECIFICALLY FINDING
27 THAT THE MENTAL INCOMPETENCY IS OF SUCH A DEGREE THAT THE

1 INDIVIDUAL IS INCAPABLE OF CONTINUING TO HOLD A REGISTRATION AS A
2 VETERINARY TECHNICIAN;

3 (m) FAILING TO REPORT A KNOWN VIOLATION OF ANY PROVISION
4 OF THIS SECTION;

5 (n) PRACTICING OR PERFORMING SERVICES BEYOND A
6 REGISTRANT'S SCOPE OF COMPETENCE;

7 (o) FAILING TO RESPOND TO A COMPLAINT AGAINST THE
8 REGISTRANT;

9 (p) FAILING TO PROVIDE TO THE BOARD AN UPDATED MAILING
10 ADDRESS AND OTHER CONTACT INFORMATION AS REQUIRED BY THE BOARD
11 WITHIN THIRTY DAYS AFTER A CHANGE IN THE INFORMATION; OR

12 (q) FAILING TO COMPLY WITH THE TERMS AGREED TO UNDER A
13 CONFIDENTIAL AGREEMENT ENTERED INTO UNDER SECTIONS 12-30-108
14 AND 12-315-125.

15 (2) THE BOARD MAY SEND A LETTER OF ADMONITION TO A
16 REGISTRANT UNDER THE CIRCUMSTANCES SPECIFIED IN AND IN
17 ACCORDANCE WITH SECTION 12-20-404 (4).

18 (3) THE BOARD MAY SEND A CONFIDENTIAL LETTER OF CONCERN
19 TO THE REGISTRANT UNDER THE CIRCUMSTANCES SPECIFIED IN SECTION
20 12-20-404 (5).

21 (4) THE RECORD OF CONVICTION OF A FELONY IN A COURT OF
22 COMPETENT JURISDICTION IS SUFFICIENT EVIDENCE FOR THE BOARD TO
23 TAKE DISCIPLINARY ACTION AGAINST THE REGISTRANT AS DEEMED PROPER
24 BY THE BOARD. FOR THE PURPOSES OF THIS PART 2, A CONVICTION IS
25 DEEMED TO BE A CONVICTION THAT HAS BEEN UPHeld BY THE HIGHEST
26 APPELLATE COURT HAVING JURISDICTION OR A CONVICTION UPON WHICH
27 THE TIME FOR FILING AN APPEAL HAS PASSED.

1 (5) WITH RESPECT TO DENYING THE ISSUANCE OF A VETERINARY
2 TECHNICIAN REGISTRATION OR TAKING DISCIPLINARY ACTION AGAINST A
3 VETERINARY TECHNICIAN, THE BOARD MAY ACCEPT AS PRIMA FACIE
4 EVIDENCE OF GROUNDS FOR THE ACTION ANY FEDERAL OR STATE ACTION
5 TAKEN AGAINST A VETERINARY TECHNICIAN IN ANOTHER JURISDICTION IF
6 THE VIOLATION THAT PROMPTED THE DISCIPLINARY ACTION IN THE
7 JURISDICTION WOULD CONSTITUTE GROUNDS FOR DISCIPLINARY ACTION
8 UNDER THIS SECTION.

9 (6) IN ADDITION TO ANY OTHER PENALTY THAT MAY BE IMPOSED
10 PURSUANT TO THIS SECTION, A PERSON VIOLATING ANY PROVISION OF THIS
11 PART 2 OR ANY RULES PROMULGATED PURSUANT TO THIS PART 2 MAY BE
12 FINED NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN ONE
13 THOUSAND DOLLARS FOR ANY SUCH VIOLATION.

14 (7) THE BOARD MAY ISSUE CEASE-AND-DESIST ORDERS UNDER THE
15 CIRCUMSTANCES AND IN ACCORDANCE WITH SECTION 12-20-405; EXCEPT
16 THAT THE BOARD MAY ALSO ISSUE A CEASE-AND-DESIST ORDER ON ITS
17 OWN MOTION.

18 (8) THE BOARD MAY SUSPEND THE REGISTRATION OF A
19 VETERINARY TECHNICIAN WHO FAILS TO COMPLY WITH AN ORDER OF THE
20 BOARD ISSUED IN ACCORDANCE WITH THIS SECTION. THE BOARD MAY
21 IMPOSE THE REGISTRATION SUSPENSION UNTIL THE REGISTRANT COMPLIES
22 WITH THE BOARD'S ORDER.

23 **12-315-208. Examination of registrants - behavioral health -**
24 **mental health - physical conditions.** (1) (a) (I) IF, UPON RECEIPT OF A
25 SIGNED COMPLAINT BY A COMPLAINANT, THE BOARD HAS REASONABLE
26 CAUSE TO BELIEVE THAT A VETERINARY TECHNICIAN IS UNABLE TO
27 PRACTICE AS A VETERINARY TECHNICIAN WITH REASONABLE SKILL AND

1 SAFETY TO PATIENTS OR CLIENTS DUE TO A PHYSICAL CONDITION OR A
2 BEHAVIORAL HEALTH, MENTAL HEALTH, OR SUBSTANCE USE DISORDER,
3 THE BOARD MAY REQUIRE IN WRITING THAT THE VETERINARY TECHNICIAN
4 SUBMIT TO AN EXAMINATION TO EVALUATE:

5 (A) THE EXISTENCE AND EXTENT OF THE PHYSICAL CONDITION OR
6 THE BEHAVIORAL HEALTH, MENTAL HEALTH, OR SUBSTANCE USE
7 DISORDER; AND

8 (B) ANY IMPACT THE PHYSICAL CONDITION OR THE BEHAVIORAL
9 HEALTH, MENTAL HEALTH, OR SUBSTANCE USE DISORDER HAS ON THE
10 VETERINARY TECHNICIAN'S ABILITY TO PRACTICE AS A VETERINARY
11 TECHNICIAN WITH REASONABLE SKILL AND SAFETY TO PATIENTS AND
12 CLIENTS.

13 (II) A QUALIFIED PROFESSIONAL EMPLOYED BY OR CONTRACTING
14 WITH A VETERINARY PEER HEALTH ASSISTANCE PROGRAM THAT THE
15 BOARD HAS SELECTED AS A DESIGNATED PROVIDER UNDER SECTION
16 12-315-123 SHALL CONDUCT AN EXAMINATION REQUIRED BY SUBSECTION
17 (1)(a)(I) OF THIS SECTION.

18 (b) IF A VETERINARY TECHNICIAN FAILS TO SUBMIT TO AN
19 EXAMINATION REQUIRED UNDER SUBSECTION (1)(a) OF THIS SECTION, THE
20 BOARD MAY SUSPEND THE VETERINARY TECHNICIAN'S REGISTRATION
21 UNTIL THE VETERINARY TECHNICIAN SUBMITS TO THE EXAMINATION;
22 HOWEVER, IF THE VETERINARY TECHNICIAN DEMONSTRATES TO THE
23 SATISFACTION OF THE BOARD THAT THE FAILURE TO SUBMIT TO THE
24 EXAMINATION IS DUE TO CIRCUMSTANCES BEYOND THE VETERINARY
25 TECHNICIAN'S CONTROL, THE BOARD SHALL NOT SUSPEND THE
26 VETERINARY TECHNICIAN'S REGISTRATION.

27 (2) EVERY VETERINARY TECHNICIAN IN THIS STATE IS DEEMED, BY

1 PRACTICING AS A VETERINARY TECHNICIAN OR APPLYING FOR A RENEWAL
2 OF THE PERSON'S REGISTRATION, TO HAVE:

3 (a) GIVEN CONSENT TO SUBMIT TO AN EXAMINATION THAT THE
4 BOARD MAY REQUIRE UNDER SUBSECTION (1)(a) OF THIS SECTION; AND

5 (b) WAIVED AN OBJECTION TO THE ADMISSIBILITY OF THE
6 EXAMINING PROFESSIONAL'S TESTIMONY OR EXAMINATION REPORTS AT A
7 BOARD HEARING ON GROUNDS THAT THE TESTIMONY OR REPORTS ARE
8 PRIVILEGED COMMUNICATIONS.

9 (3) (a) A PERSON SHALL NOT USE THE RESULTS OF AN
10 EXAMINATION ORDERED UNDER SUBSECTION (1)(a) OF THIS SECTION AS
11 EVIDENCE IN ANY PROCEEDING OTHER THAN A PROCEEDING BEFORE THE
12 BOARD.

13 (b) EXCEPT AS PROVIDED IN SUBSECTION (3)(a) OF THIS SECTION,
14 ANY EXAMINATION RESULTS, THE FACT THAT THE EXAMINATION WAS
15 ADMINISTERED, AND THE COMPLAINT THAT PROMPTED THE EXAMINATION
16 SHALL BE KEPT CONFIDENTIAL, ARE NOT PUBLIC RECORDS, AND ARE NOT
17 AVAILABLE TO THE PUBLIC.

18 **12-315-209. Duties of licensed veterinarian - direction and**
19 **supervision of veterinary technician - rules.** (1) A VETERINARY
20 TECHNICIAN IS AUTHORIZED TO PROVIDE CARE TO ANIMALS UNDER THE
21 DIRECTION AND SUPERVISION, AS DEFINED BY THE BOARD BY RULE, OF A
22 LICENSED VETERINARIAN WHO IS RESPONSIBLE FOR THE VETERINARY
23 TECHNICIAN'S PERFORMANCE. THE LICENSED VETERINARIAN DIRECTING
24 AND SUPERVISING THE VETERINARY TECHNICIAN IS RESPONSIBLE FOR THE
25 CARE OF THE ANIMAL.

26 (2) NOTHING IN THIS PART 2 PROHIBITS A PERSON WHO IS NOT A
27 VETERINARY TECHNICIAN PURSUANT TO THIS PART 2 FROM PERFORMING

1 TASKS RELATING TO ANIMAL CARE UNDER THE DIRECTION AND
2 SUPERVISION OF A LICENSED VETERINARIAN WHO IS RESPONSIBLE FOR THE
3 CARE OF THE ANIMAL.

4 **12-315-210. Unauthorized practice - penalties.** A PERSON WHO
5 PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE AS A VETERINARY
6 TECHNICIAN WITHOUT AN ACTIVE REGISTRATION ISSUED UNDER THIS PART
7 2 IS SUBJECT TO PENALTIES PURSUANT TO SECTION 12-20-407 (1)(a).

8 **SECTION 22.** In Colorado Revised Statutes, 25-4-607, **amend**
9 (1)(a) as follows:

10 **25-4-607. Order of board of health requiring inoculation of**
11 **animals - veterinarian waiver of order.** (1) (a) When it is deemed
12 advisable in the interest of public health and safety, the board of health of
13 an organized health department or a county board of health may order that
14 all dogs, cats, other pet animals, or other mammals in the county or
15 district be vaccinated against rabies, such vaccination to be performed by
16 a licensed veterinarian OR UNDER THE INDIRECT SUPERVISION, AS DEFINED
17 IN SECTION 12-315-104 (10.5), OF A LICENSED VETERINARIAN. THE
18 VETERINARIAN SIGNING A RABIES VACCINATION CERTIFICATE SHALL
19 ENSURE THAT THE PERSON WHO ADMINISTERED THE VACCINE IS IDENTIFIED
20 ON THE CERTIFICATE AND HAS BEEN APPROPRIATELY TRAINED IN VACCINE
21 STORAGE, HANDLING, AND ADMINISTRATION AND IN THE MANAGEMENT OF
22 ADVERSE EVENTS.

23 **SECTION 23. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this

1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2022 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.