

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0501.01 Kristen Forrestal x4217

SENATE BILL 18-020

SENATE SPONSORSHIP

Garcia,

HOUSE SPONSORSHIP

(None),

Senate Committees

Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING MENTAL HEALTH CARE PROFESSIONALS WHO ARE
102 PERMITTED TO PERFORM AURICULAR ACUDETTOX.

Bill Summary

(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>.)

Current law allows licensed mental health care professionals and level III certified addiction counselors who have documented that they have undergone auricular acudetox training to perform auricular acudetox. The bill allows registered psychotherapists who have documented that they have undergone the same training requirements to also perform auricular acudetox.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-29.5-105, **amend**
3 (3)(a) as follows:

4 **12-29.5-105. Unlawful acts - exceptions - definition.**

5 (3) (a) Notwithstanding any provision of this ~~article~~ ARTICLE 29.5 to the
6 contrary, a mental health care professional ~~who is licensed pursuant to~~
7 ~~article 43 of this title and a certified addiction counselor III who is~~
8 ~~certified pursuant to article 43 of this title and~~ who has provided
9 documentation that he or she has been trained to perform auricular
10 acudetox in compliance with ~~paragraph (d) of this subsection (3)~~
11 SUBSECTION (3)(d) OF THIS SECTION may perform auricular acudetox IF
12 the auricular acudetox ~~must be~~ IS performed under the mental health care
13 professional's current scope of practice, AND THE MENTAL HEALTH CARE
14 PROFESSIONAL IS:

15 (I) LICENSED PURSUANT TO ARTICLE 43 OF THIS TITLE 12;

16 (II) CERTIFIED AS A LEVEL III ADDICTION COUNSELOR PURSUANT
17 TO PART 8 OF ARTICLE 43 OF THIS TITLE 12; OR

18 (III) REGISTERED AS A PSYCHOTHERAPIST PURSUANT TO PART 7 OF
19 ARTICLE 43 OF THIS TITLE 12.

20 **SECTION 2.** In Colorado Revised Statutes, 12-43-228.5, **amend**
21 (1) as follows:

22 **12-43-228.5. Auricular acudetox by mental health**
23 **professionals - training - definition.** (1) A mental health care
24 professional ~~who is licensed pursuant to this article and a certified~~
25 ~~addiction counselor III who is certified pursuant to this article and who~~
26 has provided documentation that he or she has been trained to perform

1 auricular acudetox in accordance with subsection (4) of this section may
2 perform auricular acudetox IF the auricular acudetox ~~must be~~ IS performed
3 under the mental health care professional's current scope of practice, AND
4 THE MENTAL HEALTH PROFESSIONAL IS:

5 (a) LICENSED PURSUANT TO THIS ARTICLE 43;

6 (b) CERTIFIED AS A LEVEL III ADDICTION COUNSELOR PURSUANT
7 TO PART 8 OF THIS ARTICLE 43; OR

8 (c) REGISTERED AS A PSYCHOTHERAPIST PURSUANT TO PART 7 OF
9 THIS ARTICLE 43.

10 **SECTION 3. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2018 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.