

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 18-0385.01 Kip Kolkmeier x4510

HOUSE BILL 18-1294

HOUSE SPONSORSHIP

Lontine and Buckner, Esgar, Ginal, Kennedy, Roberts

SENATE SPONSORSHIP

Crowder,

House Committees

Health, Insurance, & Environment  
Finance  
Appropriations

Senate Committees

Finance  
Appropriations

A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE REGULATION OF NURSING  
102 HOME ADMINISTRATORS BY THE BOARD OF EXAMINERS OF  
103 NURSING HOME ADMINISTRATORS IN THE DIVISION OF  
104 PROFESSIONS AND OCCUPATIONS IN THE DEPARTMENT OF  
105 REGULATORY AGENCIES, AND, IN CONNECTION THEREWITH,    
106 REQUIRING THE BOARD TO RECORD BY BOARD MEMBER EACH  
107 VOTE REGARDING LICENSEE DISCIPLINE.

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/>.)*

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.

SENATE  
Amended 2nd Reading  
May 3, 2018

HOUSE  
3rd Reading Unamended  
April 27, 2018

HOUSE  
Amended 2nd Reading  
April 26, 2018

**Sunset Process - House Health, Insurance, and Environment Committee.** The bill implements the recommendations of the department of regulatory agencies, as contained in the department's sunset review of nursing home administrators, as follows:

- ! Continues the regulation of nursing home administrators by the board of examiners of nursing home administrators in the division of professions and occupations for 7 years, until September 1, 2025 (**sections 1 and 2**); and
- ! Changes the membership of the 5-member board of examiners from 3 practicing nursing home administrators and 2 members representing the public to 2 practicing nursing home administrators and 3 members representing the public. The board membership change applies to appointments made on or after July 1, 2018 (**section 3**).

The bill requires a nursing home administrator to report to law enforcement possible felony conduct by an employee. If the employee holds a state license, the administrator must also report the conduct to the appropriate occupational board or the director of the division of professions and occupations. Failure to report is grounds for discipline.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 12-39-121 as  
3 follows:

4 **12-39-121. Repeal of article.** (1) This ~~article~~ ARTICLE 39 is  
5 repealed, effective ~~July 1, 2018~~ SEPTEMBER 1, 2023.

6 (2) Prior to ~~such~~ THE repeal, the licensing functions of the board  
7 of examiners of nursing home administrators ~~shall be reviewed as~~  
8 ~~provided in~~ ARE SCHEDULED FOR REVIEW IN ACCORDANCE WITH section  
9 24-34-104. ~~C.R.S.~~

10 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal**  
11 (14)(a)(VI); and **add** (24)(a)(V) as follows:

12 **24-34-104. General assembly review of regulatory agencies**  
13 **and functions for repeal, continuation, or reestablishment - legislative**  
14 **declaration - repeal.** (14) (a) The following agencies, functions, or both,

1 are scheduled for repeal on July 1, 2018:

2 (VI) ~~The board of examiners of nursing home administrators~~  
3 ~~created in section 12-39-104, C.R.S.;~~

4 (24) (a) The following agencies, functions, or both, are scheduled  
5 for repeal on September 1, 2023:

6 (V) THE REGULATION OF NURSING HOME ADMINISTRATORS BY THE  
7 BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS IN  
8 ACCORDANCE WITH ARTICLE 39 OF TITLE 12.

9

10 SECTION 3. In Colorado Revised Statutes, 12-39-114, **add** (8)  
11 as follows:

12 **12-39-114. Disciplinary proceedings - administrative law judge**  
13 **- judicial review - publicly recorded votes.** (8) ALL VOTES TO IMPOSE  
14 DISCIPLINE OR DISMISS A COMPLAINT MUST BE RECORDED IN THE BOARD'S  
15 PUBLICLY AVAILABLE MINUTES AND INDICATE HOW EACH BOARD MEMBER  
16 VOTED ON THE QUESTION.

17 SECTION 4. **Effective date.** This act takes effect July 1, 2018.

18 SECTION 5. **Safety clause.** The general assembly hereby finds,  
19 determines, and declares that this act is necessary for the immediate  
20 preservation of the public peace, health, and safety.