

## CHAPTER 228

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**PROFESSIONS AND OCCUPATIONS**

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**HOUSE BILL 20-1212**

BY REPRESENTATIVE(S) Landgraf and Caraveo, Singer, Buckner, Cutter, Hooton, McCluskie, McLachlan, Melton, Michaelson Jenet, Pelton, Young, Becker, Bird, Duran, Kipp, Kraft-Tharp, Liston, Snyder, Valdez D., Will; also SENATOR(S) Todd and Tate, Ginal, Lee, Smallwood.

**AN ACT**

**CONCERNING THE CONTINUATION OF THE REGULATION OF NATUROPATHIC DOCTORS, AND, IN CONNECTION THEREWITH, IMPLEMENTING RECOMMENDATIONS CONTAINED IN THE 2019 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.**

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

**SECTION 1.** In Colorado Revised Statutes, 12-250-121, **amend** (1) as follows:

**12-250-121. Repeal of article - subject to review - definition.** (1) This article 250 is repealed, effective September 1, ~~2020~~ 2029. Before the repeal, the registration of naturopathic doctors is scheduled for review in accordance with section 24-34-104.

**SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal** (19)(a)(XII); and **add** (30)(a)(V) as follows:

**24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal.** (19) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2020:

(XII) ~~The registration of naturopathic doctors in accordance with article 250 of title 12;~~

(30) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2029:

(V) THE REGISTRATION OF NATUROPATHIC DOCTORS IN ACCORDANCE WITH

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

## ARTICLE 250 OF TITLE 12.

**SECTION 3.** In Colorado Revised Statutes, 12-20-402, **amend** (4) as follows:

**12-20-402. Immunity.** (4) This section does not apply to articles 125, 140, AND 150 ~~and 250~~ of this title 12 concerning fantasy contests, nontransplant tissue banks, AND passenger tramways, ~~and naturopathic doctors~~, respectively.

**SECTION 4.** In Colorado Revised Statutes, 12-250-104, **amend** (1)(b)(II) and (2) as follows:

**12-250-104. Naturopathic medicine advisory committee - creation - membership - duties.** (1) (b) The advisory committee consists of nine members appointed by the director as follows:

(II) Three members who are doctors of medicine or osteopathy licensed pursuant to article 240 of this title 12, ONE OF WHOM IS A PEDIATRICIAN AND ANOTHER OF WHOM IS A MEMBER OF A STATEWIDE MULTISPECIALTY MEDICAL SOCIETY;

(2) The advisory committee shall MEET AT LEAST ONCE EACH YEAR TO:

(a) Advise the director in the administration and enforcement of this article 250 and rules adopted under this article 250;

(b) DISCUSS ISSUES OF IMPORTANCE TO NATUROPATHIC DOCTORS AND THEIR PATIENTS; AND

(c) (I) REVIEW THE NATUROPATHIC FORMULARY SPECIFIED IN SECTION 12-250-106 (1)(c)(I); AND

(II) MAKE RECOMMENDATIONS TO THE DIRECTOR ON WHETHER THERE SHOULD BE ADDITIONS, OTHER THAN CONTROLLED SUBSTANCES, TO THE NATUROPATHIC FORMULARY. POSSIBLE ADDITIONS MAY INCLUDE ONLY BIOLOGICAL SUBSTANCES INCLUDING VITAMINS, MINERALS, NUTRITIVE SUBSTANCES, EXTRACTS, AND THEIR PRODUCTS AND RESIDUES.

**SECTION 5.** In Colorado Revised Statutes, 12-250-106, **amend** (1)(c)(I) and (5)(c) as follows:

**12-250-106. Practice of naturopathic medicine by naturopathic doctors - exclusions - protected activities - definition - rules.** (1) The practice of naturopathic medicine by a naturopathic doctor includes the following:

(c) (I) Obtaining, dispensing, administering, ordering, or prescribing, as specified, medicines listed in the naturopathic formulary, which includes:

(A) ~~Obtaining, administering, or dispensing~~ Epinephrine to treat anaphylaxis;

(B) ~~Obtaining and dispensing~~ Barrier contraceptives, excluding intrauterine devices;

(C) ~~Obtaining and administering~~ Oxygen, but only for emergency use;

(D) ~~Obtaining and administering~~ Vitamins B6 and B12;

(E) ~~Obtaining, administering, or dispensing~~ Substances that are regulated by the federal food and drug administration but that do not require a prescription order to be dispensed; ~~and~~

(F) ~~Obtaining and administering~~ Vaccines, in accordance with the ACIP guidelines, for patients who are at least eighteen years of age; AND

(G) ANY ADDITIONS TO THE NATUROPATHIC FORMULARY AS DETERMINED BY THE DIRECTOR BY RULE, LIMITED TO BIOLOGICAL SUBSTANCES INCLUDING VITAMINS, MINERALS, NUTRITIVE SUBSTANCES, EXTRACTS, AND THEIR PRODUCTS AND RESIDUES.

(5) Except as provided in subsection (4) of this section, a person who is not registered under this article 250 shall not:

(c) Use the title "naturopathic doctor", ~~or~~ "doctor of naturopathy", ~~or~~ the abbreviation "N.D.", OR ANY OTHER TITLE THAT IMPLIES THE PERSON IS REGISTERED OR LICENSED AS A NATUROPATHIC DOCTOR.

**SECTION 6. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: July 2, 2020