

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0286.01 Brita Darling x2241

HOUSE BILL 24-1153

HOUSE SPONSORSHIP

Garcia and Willford, Bacon, Brown, Jodeh, Joseph, Mabrey, Parenti, Story

SENATE SPONSORSHIP

(None),

House Committees

Health & Human Services
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CONTINUING EDUCATION REQUIREMENTS FOR**
102 **PHYSICIANS.**

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>.)

The bill establishes a continuing medical education requirement (CME) for physicians licensed in this state.

To meet the CME requirement, a physician must complete 40 credit hours of CME (CME credit hours) in the 24 months preceding the renewal, reinstatement, or reactivation of the physician's medical license in topics selected by the physician and also in topics specified in the bill.

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

The Colorado medical board (board) shall approve the type and sponsors of programs or activities that qualify for CME credit hours pursuant to criteria specified in the bill.

To verify compliance with the CME requirement, the physician shall affirm on the license renewal form submitted to the board that the physician has complied with the CME requirement. The board is also authorized to audit up to 5% of physician renewals annually and to require that the physician submit proof of the CME programs completed and the CME credit hours awarded. A physician's failure to comply with the CME requirement or to submit proof to the board during a board audit constitutes unprofessional conduct. If the physician fails to comply with the CME requirement, the physician's license is inactive until reinstated by the board.

The board may adopt rules to implement the CME requirement.

The director of the division of professions and occupations in the department of regulatory agencies shall increase existing fees on physician licensure renewals to cover any additional costs associated with implementing the CME requirement.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-240-130, **amend**
3 (1) and (2)(a); **repeal** (3); and **add** (5) and (6) as follows:

4 **12-240-130. Renewal, reinstatement, reactivation -**
5 **delinquency - fees - questionnaire.** (1) All licenses issued pursuant to
6 this article 240 are subject to the renewal, expiration, reinstatement, and
7 delinquency fee provisions specified in section 12-20-202 (1) and (2).
8 The director shall increase renewal fees consistent with section 12-30-105
9 (4) to ~~fund~~ COVER the division's costs in administering and staffing the
10 nurse-physician advisory task force for Colorado health care created in
11 section 12-30-105 (1) AND ANY ADDITIONAL COSTS ASSOCIATED WITH
12 IMPLEMENTING CONTINUING EDUCATION REQUIREMENTS FOR PHYSICIANS
13 PURSUANT TO SECTION 12-240-130.5. A person whose license has expired
14 ~~shall be~~ IS subject to the penalties provided in this article 240 or section
15 12-20-202 (1).

1 (2) (a) The board shall design a questionnaire to accompany the
2 renewal form for the purpose of determining whether a licensee has acted
3 in violation of this article 240, or has been disciplined for any action that
4 might be considered a violation of this article 240 or that might make the
5 licensee unfit to practice medicine with reasonable care and safety. The
6 board shall include on the questionnaire a question regarding whether:

7 (I) The licensee has complied with section 12-30-111; ~~and~~

8 (II) The licensee is in compliance with section 12-280-403 (2)(a)
9 and is aware of the penalties for failing to comply with that section;

10 (III) THE LICENSEE IS IN COMPLIANCE WITH SECTION 12-30-114;

11 AND

12 (IV) THE LICENSEE IS IN COMPLIANCE WITH SECTION 12-240-130.5
13 RELATING TO REQUIRED CONTINUING MEDICAL EDUCATION AND IS AWARE
14 OF THE PENALTIES FOR FAILING TO COMPLY WITH THAT SECTION.

15 (3) ~~Applicants for relicensure shall not be required to attend and~~
16 ~~complete continuing medical education programs, except as directed by~~
17 ~~the board to correct deficiencies of training or education as directed under~~
18 ~~section 12-240-125 (5)(c)(III)(B).~~

19 (5) ON AND AFTER OCTOBER 1, 2022, AS A CONDITION OF
20 RENEWAL, REINSTATEMENT, OR REACTIVATION OF A LICENSE, EACH
21 LICENSEE OR APPLICANT SHALL ATTEST THAT THE LICENSEE OR APPLICANT
22 IS IN COMPLIANCE WITH SECTION 12-30-114 AND THAT THE LICENSEE OR
23 APPLICANT IS AWARE OF THE PENALTIES FOR NONCOMPLIANCE WITH THAT
24 SECTION.

25 (6) ON AND AFTER JANUARY 1, 2026, AS A CONDITION OF
26 RENEWAL, REINSTATEMENT, OR REACTIVATION OF A LICENSE, EACH
27 LICENSEE OR APPLICANT SHALL ATTEST THAT THE LICENSEE OR APPLICANT

1 IS IN COMPLIANCE WITH SECTION 12-240-130.5 AND THAT THE LICENSEE
2 OR APPLICANT IS AWARE OF THE PENALTIES FOR NONCOMPLIANCE WITH
3 THAT SECTION.

4 **SECTION 2.** In Colorado Revised Statutes, 12-240-106, **amend**
5 (1)(b) and (1)(c); and **add** (1)(d) as follows:

6 **12-240-106. Powers and duties of board - limitation on**
7 **authority - rules.** (1) In addition to all other powers and duties conferred
8 and imposed upon the board by this article 240, the board has the
9 following powers and duties to:

10 (b) Make investigations, hold hearings, and take evidence in
11 accordance with section 12-20-403 in all matters relating to the exercise
12 and performance of the powers and duties vested in the board; ~~and~~

13 (c) Aid law enforcement in the enforcement of this article 240 and
14 in the prosecution of all persons, firms, associations, or corporations
15 charged with the violation of any of its provisions; AND

16 (d) ADOPT RULES AS NECESSARY IN ACCORDANCE WITH SECTION
17 12-240-130.5 TO IMPLEMENT THE REQUIREMENT FOR CONTINUING
18 MEDICAL EDUCATION FOR PHYSICIANS.

19 
20 **SECTION 3.** In Colorado Revised Statutes, **add** 12-240-130.5 as
21 follows:

22 **12-240-130.5. Continuing medical education - requirement -**
23 **compliance - legislative declaration - rules - definitions.** (1) (a) THE
24 GENERAL ASSEMBLY FINDS AND DECLARES THAT:

25 (I) MEDICAL KNOWLEDGE, METHODS OF DIAGNOSIS, AND
26 TREATMENT OPTIONS HAVE EXPANDED EXPONENTIALLY SINCE THE
27 BEGINNING OF THE TWENTY-FIRST CENTURY, WITH EXCITING RESEARCH

1 AND DISCOVERIES, INCLUDING THE DEVELOPMENT OF NEW MEDICATIONS
2 AND TOOLS FOR MORE ACCURATE AND EFFECTIVE DIAGNOSIS, TREATMENT,
3 AND PREVENTION OF DISEASE;

4 (II) WHILE THERE ARE PROMISING ADVANCES IN MEDICINE,
5 COLORADO FACES CHALLENGES THAT AFFECT THE HEALTH AND
6 WELL-BEING OF ITS RESIDENTS, INCLUDING AN AGING POPULATION;
7 NATIONAL AND INTERNATIONAL PUBLIC HEALTH ISSUES, INCLUDING
8 EPIDEMICS AND PANDEMICS; NONNATIVE DISEASES AND CONDITIONS;
9 CHANGING ENVIRONMENTAL CONDITIONS AND NEW CONTAMINANTS IN
10 WATER, AIR, AND FOOD THAT ARE DANGEROUS TO HUMAN HEALTH;
11 CHANGES IN STATE AND FEDERAL LAW IMPACTING ACCESS TO
12 REPRODUCTIVE, SEXUAL, AND GENDER-BASED HEALTH CARE; AND THE
13 INCREASING NEED FOR BEHAVIORAL HEALTH CARE AND PHYSICAL AND
14 MENTAL HEALTH-CARE INTEGRATION;

15 (III) STATE AND NATIONAL MEDICAL ASSOCIATIONS RECOGNIZE
16 THE PRACTICAL AND ETHICAL DUTIES PHYSICIANS HAVE TO THEIR
17 PATIENTS AND TO THE PROFESSION TO MAINTAIN COMPETENCY IN THE
18 RAPIDLY CHANGING MEDICAL FIELD AND THE WORLD; AND

19 (IV) TO MEET THESE CHALLENGES AND DUTIES, THERE IS A NEED
20 FOR MANDATED CONTINUING PROFESSIONAL EDUCATION FOR PHYSICIANS.

21 (b) THEREFORE, THE GENERAL ASSEMBLY FURTHER FINDS AND
22 DECLARES THAT:

23 (I) A LICENSE TO PRACTICE MEDICINE IN THIS STATE IS GRANTED
24 TO INDIVIDUALS WHO DEMONSTRATE COMPETENCY IN THE PROFESSION;
25 AND

26 (II) AS A CONDITION OF THE PERIODIC RENEWAL OF A PHYSICIAN'S
27 LICENSE OR THE REINSTATEMENT OR REACTIVATION OF A MEDICAL

1 LICENSE, IT IS APPROPRIATE AND NECESSARY THAT COLORADO REQUIRE
2 A PHYSICIAN TO COMPLETE CONTINUING MEDICAL EDUCATION TO ENSURE
3 CONTINUING COMPETENCY IN THE PROFESSION AND TO PREPARE FOR THE
4 PATIENTS AND HEALTH ISSUES OF THE FUTURE.

5 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
6 REQUIRES:

7 (a) "AMA PRA CATEGORY I CREDIT™" MEANS CREDIT FOR HOURS
8 AWARDED FOR CONTINUING MEDICAL EDUCATION THAT APPLY TOWARD
9 THE AMERICAN MEDICAL ASSOCIATION'S PHYSICIAN'S RECOGNITION
10 AWARD.

11 [REDACTED]
12 (b) "CME CREDIT HOUR" MEANS ONE HOUR OF CME CREDIT
13 AWARDED FOR ONE CLOCK HOUR OF CONTINUING MEDICAL EDUCATION.

14 (c) "COMPLIANCE PERIOD" MEANS THE TWENTY-FOUR-MONTH
15 PERIOD IMMEDIATELY PRECEDING THE RENEWAL, REINSTATEMENT, OR
16 REACTIVATION OF A PHYSICIAN'S LICENSE.

17 (d) "CONTINUING MEDICAL EDUCATION" OR "CME" MEANS A
18 PROGRAM OF CONTINUING MEDICAL EDUCATION THAT IS ACCREDITED BY
19 AN ORGANIZATION SPECIFIED IN SUBSECTION (3)(d) OF THIS SECTION.

20 (3) (a) NOTWITHSTANDING ANY PROVISION OF THIS TITLE 12 TO
21 THE CONTRARY, COMMENCING WITH LICENSE RENEWAL, REINSTATEMENT,
22 OR REACTIVATION OCCURRING ON OR AFTER JANUARY 1, 2026, EXCEPT AS
23 PROVIDED IN SUBSECTIONS (3)(c), (4), AND (5) OF THIS SECTION, THE
24 BOARD SHALL NOT RENEW, REINSTATE, OR REACTIVATE A LICENSE OF A
25 PHYSICIAN UNLESS THE PHYSICIAN PRESENTS EVIDENCE THAT THE
26 PHYSICIAN HAS COMPLETED THIRTY CME CREDIT HOURS WITHIN THE
27 COMPLIANCE PERIOD.

1 (b) UNLESS CHOSEN TO PARTICIPATE IN A BOARD AUDIT OF CME
2 COMPLIANCE PURSUANT TO SUBSECTION (8) OF THIS SECTION, A PHYSICIAN
3 SHALL PROVIDE EVIDENCE OF COMPLIANCE WITH THIS SECTION BY:

4 (I) ANSWERING AFFIRMATIVELY, UNDER PENALTY OF PERJURY, A
5 QUESTION REGARDING COMPLIANCE WITH THE CME REQUIREMENT THAT
6 IS INCLUDED ON THE QUESTIONNAIRE THAT ACCOMPANIES THE LICENSE
7 RENEWAL FORM DESCRIBED IN SECTION 12-240-130 (2); OR

8 (II) FOR AN APPLICANT FOR REINSTATEMENT OR REACTIVATION, BY
9 ATTESTING TO THAT FACT ON THE APPLICATION.

10 (c) IF NECESSARY, THE BOARD SHALL ADJUST PROPORTIONATELY
11 THE NUMBER OF CME CREDIT HOURS REQUIRED PURSUANT TO SUBSECTION
12 (3)(a) OF THIS SECTION TO ENSURE THAT, DUE TO THE DATE OF THE
13 LICENSE RENEWAL, REINSTATEMENT, OR REACTIVATION, A PHYSICIAN IS
14 NOT REQUIRED TO OBTAIN THIRTY CME CREDIT HOURS IN FEWER THAN
15 TWENTY-FOUR MONTHS.

16 (d) TO QUALIFY FOR CME CREDIT HOURS, A PROGRAM MUST:

17 (I) BE ACCREDITED BY THE COLORADO MEDICAL SOCIETY, THE
18 AMERICAN MEDICAL ASSOCIATION, OR THE ACCREDITATION COUNCIL FOR
19 CONTINUING MEDICAL EDUCATION AND QUALIFY FOR AMA PRA
20 CATEGORY I CREDIT™;

21 (II) QUALIFY FOR PRESCRIBED CREDIT FROM THE AMERICAN
22 ACADEMY OF FAMILY PHYSICIANS;

23 (III) BE AN APPROVED PROGRAM OF THE AMERICAN COLLEGE OF
24 OBSTETRICIANS AND GYNECOLOGISTS; OR

25 (IV) BE A PROGRAM REQUIRED IN ORDER TO MAINTAIN NATIONAL
26 BOARD CERTIFICATION, NOT INCLUDING A PROGRAM OF SELF STUDY OR A
27 PROGRAM SELF-CLAIMED OR SELF-DOCUMENTED BY THE PHYSICIAN.

1 (e) AS PART OF THE THIRTY CME CREDIT HOURS REQUIRED
2 PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION, OR THE ADJUSTED
3 NUMBER OF CME CREDIT HOURS REQUIRED PURSUANT TO SUBSECTION
4 (3)(c) OF THIS SECTION, A PHYSICIAN SHALL COMPLETE CME CREDIT
5 HOURS IN TOPICS SPECIFIED PURSUANT TO SUBSECTION (6) OF THIS
6 SECTION.

7 (4) (a) THE BOARD MAY RENEW THE LICENSE OF A PHYSICIAN WHO
8 PRESENTS ACCEPTABLE EVIDENCE TO THE BOARD THAT THE PHYSICIAN
9 WAS UNABLE TO COMPLY WITH THE CME CREDIT HOURS REQUIRED
10 PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION.

11 (b) THE BOARD MAY GRANT A SIX-MONTH EXTENSION OF THE
12 COMPLIANCE PERIOD TO A PHYSICIAN WHO IS UNABLE TO COMPLY WITH
13 THE CME CREDIT HOURS REQUIRED PURSUANT TO SUBSECTION (3)(a) OF
14 THIS SECTION.

15 (5) THE BOARD MAY WAIVE THE CME REQUIREMENT FOR A
16 PHYSICIAN'S FIRST RENEWAL PERIOD IF THE PHYSICIAN WAS INITIALLY
17 LICENSED WITHIN TWELVE MONTHS AFTER COMPLETING A
18 BOARD-APPROVED INTERNSHIP OR POSTGRADUATE TRAINING.

19 (6) AS PART OF THE CME REQUIREMENT ESTABLISHED PURSUANT
20 TO THIS SECTION, IN ADDITION TO CME PROGRAMS COVERING TOPICS
21 SELECTED BY THE PHYSICIAN, A PHYSICIAN'S CME CREDIT HOURS MUST
22 INCLUDE:

23 (a) CME CREDIT HOURS THAT COMPLY WITH SECTION 12-30-114
24 AND RELATED BOARD RULES; AND

25 [REDACTED]

26 (b) CME CREDIT HOURS COVERING A TOPIC SPECIFIED BY THE
27 BOARD BY RULE PURSUANT TO SUBSECTION (7)(b) OF THIS SECTION.

1 (7) THE BOARD SHALL PROMULGATE RULES NECESSARY TO
2 IMPLEMENT A PHYSICIAN CME REQUIREMENT IN ACCORDANCE WITH THIS
3 SECTION. IN ADDITION TO ANY OTHER RULES, THE BOARD SHALL ADOPT
4 RULES:

5 [REDACTED] [REDACTED]

6 (a) REQUIRING THAT A PHYSICIAN MAINTAIN A TRANSCRIPT OR
7 CERTIFICATE OF ATTENDANCE AT THE [REDACTED] CME PROGRAM THAT INCLUDES
8 A STATEMENT OF THE CREDIT HOURS EARNED;

9 (b) (I) RELATING TO ANY CME CREDIT HOURS IN A SPECIFIC TOPIC,
10 IF THE BOARD APPROVES THE TOPIC, INCLUDING THE NUMBER OF CREDIT
11 HOURS, THE FREQUENCY OF THE REQUIREMENT, AND WHICH PHYSICIANS
12 ARE SUBJECT TO THE REQUIREMENT. NOTHING IN THIS SUBSECTION
13 (7)(b)(I) ALLOWS THE BOARD TO INCREASE THE NUMBER OF REQUIRED
14 CME CREDIT HOURS SPECIFIED IN SUBSECTION (3)(a) OF THIS SECTION.

15 (II) THE BOARD SHALL INITIATE A STAKEHOLDER PROCESS TO
16 CONSIDER REQUIRING, FOR GENERAL PRACTICE AND FOR ALL SPECIALTIES,
17 SPECIFIC CME CREDIT HOURS RELATING TO HEALTH DISPARITIES AND
18 OUTCOMES DATA; REPRODUCTIVE, SEXUAL, AND GENDER-BASED HEALTH
19 CARE; AND EXPLICIT AND IMPLICIT BIAS, INCLUDING THE NUMBER AND
20 FREQUENCY OF CME CREDIT HOURS.

21 (c) INDICATING THE CIRCUMSTANCES UNDER WHICH THE BOARD
22 WOULD WAIVE THE CME REQUIREMENT FOR A PHYSICIAN OR EXTEND THE
23 PHYSICIAN'S COMPLIANCE PERIOD PURSUANT TO SUBSECTION (4) OF THIS
24 SECTION;

25 (d) IMPLEMENTING AN AUDIT OF COMPLIANCE WITH THIS SECTION,
26 IF UNDERTAKEN BY THE BOARD PURSUANT TO SUBSECTION (8) OF THIS
27 SECTION; AND

1 (e) FOR REINSTATEMENT OF A LICENSE THAT HAS BECOME
2 INACTIVE PURSUANT TO SUBSECTION (9) OF THIS SECTION.

3 (8) (a) THE BOARD MAY ANNUALLY AUDIT UP TO FIVE PERCENT OF
4 PHYSICIANS, CHOSEN AT RANDOM WITH AN OVERSAMPLING OF
5 NONBOARD-CERTIFIED PHYSICIANS, FOR COMPLIANCE WITH THIS SECTION.

6 (b) IF CHOSEN BY THE BOARD FOR AN AUDIT OF COMPLIANCE WITH
7 THE CME REQUIREMENT ESTABLISHED PURSUANT TO THIS SECTION,
8 UNLESS THE BOARD HAS ADJUSTED THE NUMBER OF REQUIRED CREDIT
9 HOURS PURSUANT TO SUBSECTION (3)(c) OF THIS SECTION OR GRANTED A
10 WAIVER OR EXTENSION OF THE CME REQUIREMENT DURING THE
11 COMPLIANCE PERIOD PURSUANT TO SUBSECTION (4) OF THIS SECTION, THE
12 PHYSICIAN SHALL PROVIDE EVIDENCE OF THE COMPLETION OF THIRTY
13 CREDIT HOURS OF CME PROGRAMS COMPLETED WITHIN THE
14 TWENTY-FOUR MONTHS PRECEDING THE DATE OF THE PHYSICIAN'S
15 RENEWAL, REINSTATEMENT, OR REACTIVATION OF THE LICENSE.

16 (9) (a) IF A PHYSICIAN FAILS TO COMPLY WITH THE CME
17 REQUIREMENT ESTABLISHED PURSUANT TO THIS SECTION OR TO PROVIDE
18 THE REQUIRED EVIDENCE OF COMPLETION OF CME CREDIT HOURS IN
19 RESPONSE TO AN AUDIT BY THE BOARD PURSUANT TO SUBSECTION (8)(a)
20 OF THIS SECTION:

21 (I) THE BOARD SHALL ASSESS A CIVIL PENALTY IN THE FORM OF A
22 FIVE THOUSAND DOLLAR FINE; AND

23 (II) THE PHYSICIAN'S LICENSE BECOMES INACTIVE UNTIL
24 REINSTATED BY THE BOARD PURSUANT TO BOARD RULE.

25 (b) A PHYSICIAN WITH AN INACTIVE LICENSE IS NOT REQUIRED TO
26 COMPLY WITH THIS SECTION BUT SHALL MEET THE CME REQUIREMENT
27 PURSUANT TO THIS SECTION BEFORE THE BOARD REACTIVATES THE

1 LICENSE.

2 **SECTION 4.** In Colorado Revised Statutes, 12-240-120, **amend**
3 (1)(c) and (1)(d); and **add** (1)(e) as follows:

4 **12-240-120. Refusal of license - issuance subject to probation.**

5 (1) The board may refrain from issuing a license or may grant a license
6 subject to terms of probation if the board determines that an applicant for
7 a license:

8 (c) Has been disciplined in another state or foreign jurisdiction
9 with respect to ~~his or her~~ THE APPLICANT'S license to practice medicine,
10 license to practice as a physician assistant, or license to practice as an
11 anesthesiologist assistant; ~~or~~

12 (d) Has not actively practiced medicine, practiced as a physician
13 assistant, or practiced as an anesthesiologist assistant for the two-year
14 period immediately preceding the filing of an application, or otherwise
15 maintained continued competency during that period, as determined by
16 the board; OR

17 (e) HAS NOT COMPLETED REQUIRED CONTINUING MEDICAL
18 EDUCATION PURSUANT TO SECTION 12-240-130.5.

19 **SECTION 5.** In Colorado Revised Statutes, 12-240-141, **amend**
20 (5) as follows:

21 **12-240-141. Inactive license.** (5) Any person licensed under this
22 section who wishes to resume the practice of medicine or to resume
23 practice as a physician assistant shall file an application in the form and
24 manner the board shall designate, MEET THE REQUIRED APPLICABLE
25 CONTINUING MEDICAL EDUCATION REQUIREMENTS PURSUANT TO SECTION
26 12-240-130.5, pay the license fee promulgated by the board pursuant to
27 section 12-240-130, and meet the financial responsibility requirements

1 promulgated by the board pursuant to section 13-64-301 (1). The board
2 may approve the application and issue a license or may deny the
3 application as set forth in section 12-240-120.

4 **SECTION 6. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly; except
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V
8 of the state constitution against this act or an item, section, or part of this
9 act within such period, then the act, item, section, or part will not take
10 effect unless approved by the people at the general election to be held in
11 November 2024 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.