

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 21-0796.01 Kristen Forrestal x4217

HOUSE BILL 21-1146

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A BILL FOR AN ACT

101 **CONCERNING THE PRACTICE OF AURICULAR ACUDETOX BY A**
102 **PROFESSIONAL, AND, IN CONNECTION THEREWITH, CLARIFYING**
103 **THAT IN ORDER TO PERFORM AURICULAR ACUDETOX, A PERSON**
104 **DOES NOT NEED TO BE LICENSED, CERTIFIED, OR REGISTERED AS**
105 **A MENTAL HEALTH PROFESSIONAL.**

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/>.)

Statutory Revision Committee. In 2020, the general assembly repealed the requirement in the mental health practice act that a

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
2nd Reading Unamended
April 15, 2021

HOUSE
3rd Reading Unamended
March 29, 2021

HOUSE
2nd Reading Unamended
March 26, 2021

professional must be licensed, registered, or certified as a mental health professional in order to practice auricular acudetox. The bill makes a conforming amendment to clarify that it is not an unlawful act for a professional to perform auricular acudetox without a license, registration, or certification as a mental health professional.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-200-108, **amend**
3 (4)(a), (4)(b), and (4)(d) as follows:

4 **12-200-108. Unlawful acts - exceptions - definition.**

5 (4)(a) Notwithstanding any provision of this article 200 to the contrary,
6 a professional who has provided documentation that ~~he or she~~ THE
7 PROFESSIONAL has been trained to perform auricular acudetox in
8 compliance with subsection (4)(d) of this section may perform auricular
9 acudetox if the auricular acudetox is performed under the professional's
10 current scope of practice. ~~and the professional is:~~

- 11 ~~(I) Licensed pursuant to article 245 of this title 12; or~~
- 12 ~~(II) Certified as a level III addiction counselor pursuant to part 8~~
13 ~~of article 245 of this title 12.~~
- 14 ~~(III) Repealed.~~

15 (b) A ~~mental health~~ professional performing auricular acudetox
16 pursuant to this subsection (4) shall not use the title "acupuncturist" or
17 otherwise claim to be a person qualified to perform acupuncture beyond
18 the scope of this subsection (4).

19 (d) In order to perform auricular acudetox pursuant to this
20 subsection (4), a ~~mental health-care~~ professional must successfully
21 complete a training program in auricular acudetox for the treatment of
22 substance use disorders that meets or exceeds standards of training
23 established by the National Acupuncture Detoxification Association or

1 another organization approved by the director.

2 **SECTION 2. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety.