

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

**REREVISED**

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

LLS NO. 10-0092.02 Kristen Forrestal

**HOUSE BILL 10-1175**

**HOUSE SPONSORSHIP**

**Looper,** Todd, Acree, DelGrosso

**SENATE SPONSORSHIP**

**Tapia,**

**House Committees**

Business Affairs and Labor

**Senate Committees**

Business, Labor and Technology

**A BILL FOR AN ACT**

101 **CONCERNING THE DEMONSTRATION OF COMPETENCY BY AN**  
102 **OUT-OF-STATE APPLICANT IN A FIELD REGULATED BY THE**  
103 **DEPARTMENT OF REGULATORY AGENCIES.**

**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://www.leg.state.co.us/billsummaries>.)*

For occupations and professions regulated by the department of regulatory agencies (department) that require a period of work or practice in the regulated occupation or profession prior to the issuance of a certification, registration, or license by endorsement, the bill allows an

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unam ended  
March 9, 2010

SENATE  
2nd Reading Unam ended  
March 8, 2010

HOUSE  
3rd Reading Unam ended  
February 9, 2010

HOUSE  
Am ended 2nd Reading  
February 8, 2010

applicant to demonstrate competency in his or her particular field as determined by the director of the division of registrations or the applicable regulatory board. The bill specifically allows the demonstration of competency for the following professions and occupations that have statutory work or practice requirements:

- ! Chiropractors;
- ! Dentists;
- ! Dental hygienists;
- ! Optometrists;
- ! Nursing home administrators; and
- ! Physical therapists.

---

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

2 **SECTION 1.** 12-33-113, Colorado Revised Statutes, is amended  
3 to read:

4 **12-33-113. Licensure by endorsement.** (1) Upon application  
5 for a license to practice chiropractic in this state, accompanied by the  
6 required fee, the board shall issue such license to any person who  
7 furnishes, upon such form and in such manner as the board prescribes,  
8 evidence satisfactory to the board that:

9 (a) ~~He~~ THE APPLICANT is licensed to practice chiropractic in  
10 another state, a territory of the United States, the District of Columbia, the  
11 commonwealth of Puerto Rico, or a province of Canada; and

12 (b) At the time of application under this section, ~~he~~ THE  
13 APPLICANT possesses credentials and qualifications ~~which~~ THAT are, in the  
14 judgment of the board, equivalent to this state's requirements for licensure  
15 by examination; and

16 (c) (I) ~~He~~ THE APPLICANT has been engaged in the full-time  
17 practice of chiropractic, or has taught general clinical chiropractic  
18 subjects at an accredited school of chiropractic, as set forth in section  
19 12-33-111 (1) (a), in one of the jurisdictions referred to in paragraph (a)

1 of this subsection (1) for at least three of the five years immediately  
2 preceding ~~his making~~ THE DATE OF THE RECEIPT OF THE application; ~~under~~  
3 ~~this section; and~~ OR

4 (II) THE APPLICANT HAS DEMONSTRATED COMPETENCY AS A  
5 CHIROPRACTOR AS DETERMINED BY THE BOARD; AND

6 (d) ~~He~~ THE APPLICANT has not been convicted of a crime ~~which~~  
7 ~~crime~~ THAT would be grounds for the refusal, suspension, or revocation  
8 of a license to practice chiropractic in this state if committed in this state;  
9 and

10 (e) ~~His~~ THE APPLICANT'S license to practice chiropractic is ~~not, at~~  
11 ~~the time of application under this section, suspended or revoked in any~~  
12 ~~jurisdiction, based on grounds which would be grounds for the refusal,~~  
13 ~~suspension, or revocation of a license to practice chiropractic in this state~~  
14 IN GOOD STANDING.

15 **SECTION 2.** 12-35-120 (2) (c), Colorado Revised Statutes, is  
16 amended to read:

17 **12-35-120. Licensure by endorsement.** (2) The board shall  
18 issue a license to an applicant licensed as a dentist in another state or  
19 territory of the United States if said applicant has submitted credentials  
20 and qualifications for licensure that include:

21 (c) Proof the applicant has been in practice or teaching dentistry,  
22 which involves personally providing care to patients for not less than  
23 three hundred hours annually in an accredited dental school for a  
24 minimum of five years out of the seven years immediately ~~prior to~~  
25 ~~applying for licensure~~ PRECEDING THE DATE OF THE RECEIPT OF THE  
26 APPLICATION, OR EVIDENCE THAT THE APPLICANT HAS DEMONSTRATED  
27 COMPETENCY AS A DENTIST AS DETERMINED BY THE BOARD;

1           **SECTION 3.** 12-35-127 (3) (b) (III), Colorado Revised Statutes,  
2 is amended to read:

3           **12-35-127. Dental hygienist examinations - license -**  
4 **endorsement - liability insurance.** (3) (b) The board shall issue a  
5 license to an applicant duly licensed as a dental hygienist in another state  
6 or territory of the United States who has submitted credentials and  
7 qualifications for licensure in Colorado. Such credentials and  
8 qualifications shall include:

9           (III) (A) Verification that the applicant has been engaged either  
10 in clinical practice or in teaching dental hygiene or dentistry in an  
11 accredited program for at least one year during the three years  
12 immediately preceding the DATE OF THE RECEIPT OF THE application; OR

13           (B) EVIDENCE THAT THE APPLICANT HAS DEMONSTRATED  
14 COMPETENCY AS A DENTAL HYGIENIST AS DETERMINED BY THE BOARD;

15           **SECTION 4.** The introductory portion to 12-39-110 (2) and  
16 12-39-110 (2) (c), Colorado Revised Statutes, are amended to read:

17           **12-39-110. Endorsement.** (2) An applicant for licensure under  
18 this section shall submit to the board, in a ~~form~~ MANNER prescribed by the  
19 board, all of the following:

20           (c) (I) Verification that the applicant has been engaged in the  
21 practice of nursing home administration, has taught in a health care  
22 administration program, or has served as a member of a nursing home  
23 survey or accreditation team for one year immediately preceding the date  
24 of THE RECEIPT OF THE application, or has been engaged in one of the  
25 services described in this ~~paragraph (c)~~ SUBPARAGRAPH (I) for three of the  
26 five years immediately preceding the date of THE RECEIPT OF THE  
27 application; OR

1 (II) EVIDENCE THAT THE APPLICANT HAS DEMONSTRATED  
2 COMPETENCY AS A NURSING HOME ADMINISTRATOR AS DETERMINED BY  
3 THE BOARD.

4 **SECTION 5.** 12-40-108 (3), Colorado Revised Statutes, is  
5 amended to read:

6 **12-40-108. Application for license - licensure by endorsement.**

7 (3) (a) The board may issue a license by endorsement to engage in the  
8 practice of optometry to an applicant who:

9 (I) (A) Is currently licensed and is in practice and good standing  
10 in another state or territory of the United States or in a foreign country if  
11 the applicant presents proof satisfactory to the board ~~that~~ at the time of  
12 application for a Colorado license by endorsement;

13 (B) PAYS A FEE AS PRESCRIBED BY THE BOARD; AND

14 (II) (A) ~~The applicant~~ Possesses credentials and qualifications  
15 ~~which~~ THAT are substantially equivalent to requirements for licensure by  
16 examination; ~~and pays a fee as prescribed.~~ OR

17 (B) HAS DEMONSTRATED COMPETENCY AS AN OPTOMETRIST AS  
18 DETERMINED BY THE BOARD.

19 (b) The board shall specify by rule ~~and regulation~~ what shall  
20 constitute substantially equivalent credentials and qualifications OR  
21 COMPETENCY.

22 **SECTION 6.** 12-41-109 (3) (c), Colorado Revised Statutes, is  
23 amended to read:

24 **12-41-109. Licensure by endorsement.** (3) The director shall  
25 issue a license if the applicant fulfills the requirements of subsection (1)  
26 of this section and meets any one of the following qualifying standards  
27 enumerated in paragraphs (a) to (c) of this subsection (3):

1 (c) The applicant has not practiced as a licensed physical therapist  
2 at least two of the last five years immediately preceding the date of the  
3 RECEIPT OF THE application, and: ~~either:~~

4 (I) The applicant passed an examination in another jurisdiction,  
5 which examination is substantially equivalent to that specified in section  
6 12-41-107 (2), and has demonstrated competency through successful  
7 completion of an internship ~~which~~ OR DEMONSTRATED COMPETENCY AS  
8 A PHYSICAL THERAPIST THAT fulfills the requirements established by rules  
9 and regulations of the director. ~~or~~

10 ~~(II) The applicant did not pass an examination substantially~~  
11 ~~equivalent to that specified in section 12-41-107 (2). Such an applicant~~  
12 ~~must take and pass the examination specified in section 12-41-107 (2) and~~  
13 ~~complete an internship which fulfills the requirements established by~~  
14 ~~rules and regulations of the director.~~

15 **SECTION 7.** 24-34-102 (8), Colorado Revised Statutes, is  
16 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

17 **24-34-102. Division of registrations - creation - duties of**  
18 **division and department heads - definitions - license, registration, or**  
19 **certification renewal, reinstatement, and endorsement.**

20 (8) (e) **Endorsement.** UNLESS OTHERWISE PROHIBITED BY TITLE 12,  
21 C.R.S., AN APPLICANT FOR CERTIFICATION, REGISTRATION, OR LICENSURE  
22 BY ENDORSEMENT MAY DEMONSTRATE COMPETENCY IN A SPECIFIC  
23 OCCUPATION OR PROFESSION AS DETERMINED BY THE DIRECTOR IN LIEU OF  
24 A REQUIREMENT THAT THE APPLICANT HAS WORKED OR PRACTICED IN  
25 THAT OCCUPATION OR PROFESSION FOR A PERIOD OF TIME PRIOR TO THE  
26 APPLICATION FOR ENDORSEMENT.

27 **SECTION 8. Specified effective date.** This act shall take effect

1 July 1, 2011.

2           **SECTION 9. 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, and safety.