HB20-1206 be amended as follows:

Amend printed bill, page 9, strike line 6, and substitute "(2)(e)(IV); and

add (2)(g) and (2)(h) as follows:".

Page 9, strike lines 16 through 22.

Page 9, strike line 25 and substitute "PROGRAM; OR

(h) A MENTAL HEALTH PROFESSIONAL PRACTICING AURICULAR
ACUDETOX IN ACCORDANCE WITH SECTION 12-245-233."

Page 13, after line 17 insert:

"SECTION 15. In Colorado Revised Statutes, 12-245-233,
amend (1) as follows:

12-245-233. Auricular acudetox by mental health
professionals - training - definition. (1) A mental health care
professional who has provided documentation that he or she has been
trained to perform auricular acudetox in accordance with subsection (4)
of this section may perform auricular acudetox if the auricular acudetox
is performed under the mental health care professional's current scope of
practice. and the mental health professional is:

(a) Licensed pursuant to this article 245;
(b) Certified as a level III addiction counselor pursuant to part 8
of this article 245; or
(c) Registered as a psychotherapist pursuant to part 7 of this
article 245."

Renumber succeeding sections accordingly.

Page 19, line 5, after "12-245-703," insert "amend (3); and".

Page 19, after line 16 insert:

"(3) (a) BEFORE SEPTEMBER 1, 2020, any person not otherwise
licensed, registered, or certified pursuant to this article 245 who is
practicing psychotherapy in this state shall register with the board by
submitting his or her name, current address, educational qualifications,
disclosure statements, therapeutic orientation or methodology, or both,
and years of experience in each specialty area. Upon receipt and review
of the required information, the board may approve the psychotherapist
for registration in the database required by subsection (1) of this section.
A registered psychotherapist shall update this information upon renewal of his or her registration and at other times and under conditions specified by the board by rule. At the time of recording the information required by this section, the registered psychotherapist shall indicate whether he or she has been convicted of, or entered a plea of guilty or nolo contendere to, any felony or misdemeanor.

(b)(I) A PERSON REGISTERED AS A PSYCHOTHERAPIST PURSUANT TO THIS PART 7 AND WHO MEETS THE REQUIREMENTS OF THIS SECTION MAY CONTINUE TO PRACTICE AS A REGISTERED PSYCHOTHERAPIST THROUGH SEPTEMBER 1, 2025.

(II) ON AND AFTER SEPTEMBER 1, 2025, A PERSON WHO WISHES TO PRACTICE PSYCHOTHERAPY IN THIS STATE MUST OBTAIN CANDIDATE FOR LICENSURE STATUS OR A LICENSE TO PRACTICE AS A LICENSED MENTAL HEALTH PROFESSIONAL PURSUANT TO PART 3, 4, 5, 6, OR 8 OF THIS ARTICLE 245.”.

Page 20, strike lines 14 through 22 and substitute:

"SECTION 29. In Colorado Revised Statutes, add 12-245-706 as follows:

12-245-706. Repeal of part. This part is repealed, effective September 1, 2025.

SECTION 30. In Colorado Revised Statutes, 12-20-105, amend (2)(b)(II) as follows:

12-20-105. Fee adjustments - division of professions and occupations cash fund created - legal defense account created - definition. (2) (b) (II) The costs of the state board of psychologist examiners, the state board of marriage and family therapist examiners, the state board of licensed professional counselor examiners, the state board of social work examiners, the state board of registered psychotherapists, and the state board of addiction counselor examiners shall be considered collectively in the renewal fee-setting process. Subsequent revenue generated by the fees set by the boards plus revenues generated pursuant to section 12-245-703 shall be compared to those collective costs to determine recovery of direct and indirect costs.

SECTION 31. In Colorado Revised Statutes, 12-20-407, amend (1)(a)(V)(N) as follows:

12-20-407. Unauthorized practice of profession or occupation - penalties - exclusions. (1) (a) A person commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501 for the first offense and, for the second or any subsequent offense, commits a class 6 felony and shall be punished as provided in section 18-1.3-401 if the person:
(V) Practices or offers or attempts to practice any of the following professions or occupations without an active license, certification, or registration issued under the part or article of this title 12 governing the particular profession or occupation:

(N) Practice as a psychologist, social worker, marriage and family therapist, licensed professional counselor, psychotherapist, or addiction counselor, as regulated under article 245 of this title 12;

SECTION 32. In Colorado Revised Statutes, 12-30-102, repeal (3)(a)(XVIII) as follows:
(3) (a) As used in this section, "applicant" means a person applying for a new, active license, certification, or registration or to renew, reinstate, or reactivate an active license, certification, or registration to practice:
(XVIII) Psychotherapy pursuant to part 7 of article 245 of this title 12;

SECTION 33. In Colorado Revised Statutes, 12-200-108, repeal (4)(a)(III) as follows:
(4) (a) Notwithstanding any provision of this article 200 to the contrary, a mental health care professional who has provided documentation that he or she has been trained to perform auricular acudetox in compliance with subsection (4)(d) of this section may perform auricular acudetox if the auricular acudetox is performed under the mental health care professional's current scope of practice, and the mental health care professional is:
(III) Registered as a psychotherapist pursuant to part 7 of article 245 of this title 12.

SECTION 34. In Colorado Revised Statutes, amend 12-245-101 as follows:
12-245-101. Legislative declaration.
The general assembly hereby finds and determines that, in order to safeguard the public health, safety, and welfare of the people of this state and in order to protect the people of this state against the unauthorized, unqualified, and improper application of psychology, social work, marriage and family therapy, professional counseling, psychotherapy, and addiction counseling, it is necessary that the proper regulatory authorities be established and adequately provided for. The general assembly therefore declares that there shall be established a state board of psychologist examiners, a state board of social work examiners, a state board of marriage and family therapist examiners, a state board of licensed professional counselor examiners, a state board of registered psychotherapists, and a state board
of addiction counselor examiners with the authority to license, register, or certify, and take disciplinary actions or bring injunctive actions, or both, concerning licensed psychologists and psychologist candidates, licensed social workers, licensed marriage and family therapists and marriage and family therapist candidates, licensed professional counselors and licensed professional counselor candidates, registered psychotherapists, and licensed and certified addiction counselors, respectively, and mental health professionals who have been issued a provisional license pursuant to this article 245.

SECTION 35. In Colorado Revised Statutes, 12-245-202, amend (1) and (16); and repeal (15) as follows:

12-245-202. Definitions. As used in this article 245, unless the context otherwise requires:

(1) "Board" includes the state board of psychologist examiners, the state board of social work examiners, the state board of licensed professional counselor examiners, the state board of marriage and family therapist examiners, the state board of registered psychotherapists, and the state board of addiction counselor examiners.

(15) (a) "Registered psychotherapist" means a person:

(I) Whose primary practice is psychotherapy or who holds himself or herself out to the public as being able to practice psychotherapy for compensation; and

(II) Who is registered with the state board of registered psychotherapists pursuant to section 12-245-703 to practice psychotherapy in this state.

(b) "Registered psychotherapist" also includes a person who:

(I) Is a licensed school psychologist licensed pursuant to section 22-60.5-210 (1)(b);

(II) Is practicing outside of a school setting; and

(III) Is registered with the state board of registered psychotherapists pursuant to section 12-245-703.

(16) "Registrant" means a psychologist candidate, marriage and family therapist candidate, or licensed professional counselor candidate registered pursuant to section 12-245-304 (3), 12-245-504 (4), or 12-245-604 (4), respectively, or a registered psychotherapist.

SECTION 36. In Colorado Revised Statutes, 12-245-203, amend (2) as follows:

12-245-203. Practice outside of or beyond professional training, experience, or competence - general scope of practice for licensure, registration, or certification. (2) The practice of psychotherapy is one area of practice for mental health professionals licensed, certified, or registered pursuant to this article 245 but may not be the only or primary practice area of the professionals.
persons registered as psychotherapists pursuant to part 7 of this article 245. The requirements for licensure, registration, or certification as a mental health professional pursuant to this article 245 are contained in sections 12-245-303, 12-245-403, 12-245-503, 12-245-603, and 12-245-803, which define the practice of psychology, social work, marriage and family therapy, licensed professional counseling, and addiction counseling, respectively.

SECTION 37. In Colorado Revised Statutes, 12-245-205, amend (4) as follows:

12-245-205. Fees - renewal. (4) The director shall coordinate fee-setting pursuant to this section so that all licensees, registrants, and certificate holders pay fees as required by this section. and section 12-245-703 (1).

SECTION 38. In Colorado Revised Statutes, amend 12-245-210, as follows:

12-245-210. Drugs - medicine. Nothing in this article 245 permits psychologists, social workers, marriage and family therapists, licensed professional counselors, psychotherapists, and addiction counselors licensed registered, or certified under this article 245 to administer or prescribe drugs or in any manner engage in the practice of medicine as defined by the laws of this state.

SECTION 39. In Colorado Revised Statutes, 12-245-213, amend (1)(b)(IV) and (1)(b)(V); and repeal (1)(b)(VI) as follows:

12-245-213. Professional service corporations for the practice of psychology, social work, marriage and family therapy, professional counseling, and addiction counseling - definitions. (1) Licensees registrants, or certificate holders may form professional service corporations for the practice of psychology, social work, marriage and family therapy, professional counseling, psychotherapy, or addiction counseling under the "Colorado Business Corporation Act", articles 101 to 117 of title 7, if the corporations are organized and operated in accordance with this section. The articles of incorporation of a professional service corporation formed pursuant to this section must contain provisions complying with the following requirements:

(b) The corporation must be organized by licensees registrants, or certificate holders for the purpose of conducting the practice of psychology, social work, marriage and family therapy, professional counseling, psychotherapy, or addiction counseling by the respective licensees, registrants, or certificate holders of those practices. The corporation may be organized with any other person, and any person may own shares in the corporation, if the following conditions are met:

(IV) The practice of licensed professional counseling, as defined in section 12-245-603, by the professional service corporation is
performed by a licensed professional counselor acting independently or under the supervision of a person licensed pursuant to this article 245 or a licensed professional counselor. Any licensed professional counselor member of the professional service corporation remains individually responsible for his or her professional acts and conduct as provided elsewhere in this article 245; OR

(V) The practice of addiction counseling, as defined in section 12-245-803, by the professional service corporation is performed by a licensed addiction counselor acting independently or under the supervision of a person licensed pursuant to this article 245 or a licensed addiction counselor. Any licensed addiction counselor member of the professional service corporation remains individually responsible for his or her professional acts and conduct as provided in this article 245. or

(VI) The practice of psychotherapy, as defined in section 12-245-202, by the professional service corporation is performed by a registered psychotherapist acting independently or under the supervision of a person licensed pursuant to this article 245 or a registered psychotherapist. Any registered psychotherapist member of the professional service corporation remains individually responsible for his or her professional acts and conduct as provided in this article 245.

SECTION 40. In Colorado Revised Statutes, 12-245-216, amend (1)(d)(IV) and (4)(g); and repeal (1)(e) as follows:

12-245-216. Mandatory disclosure of information to clients.
(1) Except as otherwise provided in subsection (4) of this section, every licensee, registrant, or certificate holder shall provide the following information in writing to each client during the initial client contact:

(d) A statement indicating that:

(IV) The information provided by the client during therapy sessions is legally confidential in the case of licensed marriage and family therapists, social workers, professional counselors, and psychologists AND licensed or certified addiction counselors, and registered psychotherapists, except as provided in section 12-245-220 and except for certain legal exceptions that will be identified by the licensee, registrant, or certificate holder should any such situation arise during therapy; and

(e) If the mental health professional is a registered psychotherapist, a statement indicating that a registered psychotherapist is a psychotherapist listed in the state's database and is authorized by law to practice psychotherapy in Colorado but is not licensed by the state and is not required to satisfy any standardized educational or testing requirements to obtain a registration from the state.

(4) The disclosure of information required by subsection (1) of this section is not required when psychotherapy is being administered in any of the following circumstances:
(g) By a person licensed or certified pursuant to this article 245,
or by a registered psychotherapist practicing in a hospital that is licensed
or certified under section 25-1.5-103 (1)(a)(I) or (1)(a)(II).

SECTION 41. In Colorado Revised Statutes, 12-245-217, **repeal**
(4) as follows:

12-245-217. Scope of article - exemptions. (4) The provisions of
section 12-245-703 do not apply to employees of community mental
health centers or clinics as those centers or clinics are defined by section
27-66-101, but persons practicing outside the scope of employment as
employees of a facility defined by section 27-66-101 are subject to the
provisions of section 12-245-703:

SECTION 42. In Colorado Revised Statutes, 12-245-225, **repeal**
(1)(d) as follows:

12-245-225. Authority of boards - cease-and-desist orders -
rules. (1) If a licensee, registrant, or certificate holder violates any
provision of section 12-245-224, the board that licenses, registers, or
certifies the licensee, registrant, or certificate holder may, in accordance
with section 12-20-404:

(d) Deny, revoke, or suspend the listing of a registered
psychotherapist in the state board of registered psychotherapists database
established pursuant to section 12-245-703;

SECTION 43. In Colorado Revised Statutes, 12-245-228, **amend**
(1) as follows:

12-245-228. Unauthorized practice - penalties. (1) Any person
who practices or offers or attempts to practice as a psychologist, social
worker, marriage and family therapist, licensed professional counselor,
psychotherapist, or addiction counselor without an active license
registration; or certification issued under this article 245 is subject to
penalties pursuant to section 12-20-407 (1)(a).

SECTION 44. In Colorado Revised Statutes, 12-245-231, **amend**
(5) as follows:

12-245-231. Mental health professional peer health assistance
program - fees - administration - rules. (5) As used in this section,
"mental health professional" means a psychologist, social worker,
marriage and family therapist, licensed professional counselor,
psychotherapist; or addiction counselor regulated under this article 245.

SECTION 45. In Colorado Revised Statutes, 12-245-304, **amend**
(3)(b) as follows:

12-245-304. Qualifications - examinations - licensure. (3)(b) A
psychologist candidate registered pursuant to this subsection (3) is under
the jurisdiction of the board. The psychologist candidate may, but is not
required to, register with the database of registered psychotherapists
pursuant to section 12-245-703. If the requirements of subsections (1)(d)
and (1)(e) of this section are not met within four years, the registration of
the psychologist candidate expires and is not renewable unless the board,
in its discretion, grants the candidate an extension. A person whose
psychologist candidate registration expires is not precluded from applying
for licensure or registration with any other mental health board for which
the person is qualified.

SECTION 46. In Colorado Revised Statutes, 12-245-306, repeal
(6) as follows:

12-245-306. Exemptions. (6) Nothing in this part 3 prevents the
practice of psychotherapy by persons registered with the state board of
registered psychotherapists pursuant to section 12-245-703.

SECTION 47. In Colorado Revised Statutes, 12-245-404, repeal
(4) as follows:

12-245-404. Qualifications - examination - licensure and
registration. (4) A person licensed as a licensed social worker pursuant
to subsection (1) of this section may, but is not required to, register with
the database of registered psychotherapists pursuant to section 12-245-703.

SECTION 48. In Colorado Revised Statutes, 12-245-406, repeal
(5) as follows:

12-245-406. Scope of part. (5) Nothing in this part 4 prevents the
practice of psychotherapy by persons registered with the state board of
registered psychotherapists pursuant to section 12-245-703.

SECTION 49. In Colorado Revised Statutes, 12-245-504, amend
(4)(b) as follows:

12-245-504. Qualifications - examination - licensure and
registration. (4) (b) A marriage and family therapist candidate who
registers with the board pursuant to this subsection (4) is under the
jurisdiction of the board. and may, but is not required to, register with the
database of registered psychotherapists pursuant to section 12-245-703.

SECTION 50. In Colorado Revised Statutes, 12-245-505, repeal
(5) as follows:

12-245-505. Rights and privileges of licensure and registration
- title. (5) Nothing in this part 5 prevents the practice of psychotherapy
by persons registered with the state board of registered psychotherapists
pursuant to section 12-245-703.

SECTION 51. In Colorado Revised Statutes, 12-245-604, amend
(4)(b) as follows:

12-245-604. Licensure - examination - licensed professional
counselors. (4) (b) A licensed professional counselor candidate who
registers with the board pursuant to this subsection (4) is under the
jurisdiction of the board. and may, but is not required to, register with the
database of registered psychotherapists pursuant to section 12-245-703.
SECTION 52. In Colorado Revised Statutes, 12-245-605, repeal (4) as follows:

(4) Nothing in this part 6 prevents the practice of psychotherapy by persons registered with the state board of registered psychotherapists pursuant to section 12-245-703.

SECTION 53. In Colorado Revised Statutes, 13-90-107, amend (1)(g) as follows:

13-90-107. Who may not testify without consent - definitions.
(1) There are particular relations in which it is the policy of the law to encourage confidence and to preserve it inviolate; therefore, a person shall not be examined as a witness in the following cases:

(g) A licensed psychologist, professional counselor, marriage and family therapist, social worker, or addiction counselor, a registered psychotherapist, a certified addiction counselor, a psychologist candidate registered pursuant to section 12-245-304 (3), a marriage and family therapist candidate registered pursuant to section 12-245-504 (4), a licensed professional counselor candidate registered pursuant to section 12-245-604 (4), or a person described in section 12-245-217 shall not be examined without the consent of the licensee's, certificate holder's, registrant's, candidate's, or person's client as to any communication made by the client to the licensee, certificate holder, registrant, candidate, or person or the licensee's, certificate holder's, registrant's, candidate's, or person's advice given in the course of professional employment; nor shall any secretary, stenographer, or clerk employed by a licensed psychologist, professional counselor, marriage and family therapist, social worker, or addiction counselor, a registered psychotherapist, a certified addiction counselor, a psychologist candidate registered pursuant to section 12-245-304 (3), a marriage and family therapist candidate registered pursuant to section 12-245-504 (4), a licensed professional counselor candidate registered pursuant to section 12-245-604 (4), or a person described in section 12-245-217 be examined without the consent of the employer of the secretary, stenographer, or clerk concerning any fact, the knowledge of which the employee has acquired in such capacity; nor shall any person who has participated in any psychotherapy, conducted under the supervision of a person authorized by law to conduct such therapy, including group therapy sessions, be examined concerning any knowledge gained during the course of such therapy without the consent of the person to whom the testimony sought relates.

SECTION 54. In Colorado Revised Statutes, 18-6.5-108, amend (1)(b)(VII) as follows:

18-6.5-108. Mandatory reports of mistreatment of at-risk elders and at-risk adults with IDD - list of reporters - penalties.
(1) (b) The following persons, whether paid or unpaid, shall report as
required by subsection (1)(a) of this section:

(VII) Psychologists, addiction counselors, professional
 counselors, AND marriage and family therapists, and registered
psychotherapists, as those persons are defined in article 245 of title 12;

SECTION 55. In Colorado Revised Statutes, 19-1-307, **repeal**
(2)(e.5)(I)(G) as follows:

19-1-307. Dependency and neglect records and information -
access - fee - rules - records and reports fund - misuse of information
penalty - adult protective services data system check. (2) Records
and reports - access to certain persons - agencies. Except as otherwise
provided in section 19-1-303, only the following persons or agencies shall
have access to child abuse or neglect records and reports:

(e.5) (I) A mandatory reporter specified in this subsection
(2)(e.5)(I) who is and continues to be officially and professionally
involved in the ongoing care of the child who was the subject of the
report, but only with regard to information that the mandatory reporter has
a need to know in order to fulfill his or her professional and official role
in maintaining the child's safety. A county department shall request
written affirmation from a mandatory reporter stating that the reporter
continues to be officially and professionally involved in the ongoing care
of the child who was the subject of the report and describing the nature
of the involvement, unless the county department has actual knowledge
that the mandatory reporter continues to be officially and professionally
involved in the ongoing care of the child who was the subject of the
report. This subsection (2)(e.5)(I) applies to:

(G) Registered psychotherapists;

SECTION 56. In Colorado Revised Statutes, 19-3-304, **repeal**
(2) as follows:

19-3-304. Persons required to report child abuse or neglect.
(2) Persons required to report such abuse or neglect or circumstances or
conditions include any:

(z) Registered psychotherapists;

SECTION 57. In Colorado Revised Statutes, 24-1-122, **repeal**
(3)(II) as follows:

24-1-122. Department of regulatory agencies - creation.
(3) The following boards and agencies are transferred by a type 1
transfer to the department of regulatory agencies and allocated to the
division of professions and occupations:

(II) State board of registered psychotherapists, created by part 7
of article 245 of title 12;

SECTION 58. In Colorado Revised Statutes, 26-3.1-102, **amend**
(1)(b)(VII) as follows:
26-3.1-102. Reporting requirements. (1) (b) The following persons, whether paid or unpaid, are urged to report as described in subsection (1)(a) of this section:

(VII) Psychologists, addiction counselors, professional counselors, AND marriage and family therapists, and registered psychotherapists, as those persons are defined in article 245 of title 12;

SECTION 59. In Colorado Revised Statutes, 30-10-606, amend (6)(a)(II) as follows:

30-10-606. Coroner - inquiry - grounds - postmortem - jury - certificate of death. (6) (a) Notwithstanding sections 12-245-220 and 13-90-107 (1)(d) or (1)(g), the coroner holding an inquest or investigation pursuant to this section has the authority to request and receive a copy of:

(II) Any information, record, or report related to treatment, consultation, counseling, or therapy services from any licensed psychologist, professional counselor, marriage and family therapist, social worker, or addiction counselor, certified addiction counselor, registered psychotherapist, psychologist candidate registered pursuant to section 12-245-304 (3), marriage and family therapist candidate registered pursuant to section 12-245-504 (4), licensed professional counselor candidate registered pursuant to section 12-245-604 (4), or person described in section 12-245-217, if the report, record, or information is relevant to the inquest or investigation.

SECTION 60. Act subject to petition - effective date. Sections 30 through 44, 46, 48, 50, and 52 through 59 of this act take effect September 1, 2025, and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor; except that sections 30 through 44, 46, 48, 50, and 52 through 59 of this act take effect September 1, 2025.”.

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