

HB1206_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.

HB20-1206 be amended as follows:

1 Amend printed bill, page 9, strike line 6, and substitute "(2)(e)(IV); and
2 **add** (2)(g) and (2)(h) as follows:".

3 Page 9, strike lines 16 through 22.

4 Page 9, strike line 25 and substitute "PROGRAM; OR
5 (h) A MENTAL HEALTH PROFESSIONAL PRACTICING AURICULAR
6 ACUDETUX IN ACCORDANCE WITH SECTION 12-245-233."

7 Page 13, after line 17 insert:

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

10 **12-245-233. Auricular acudetox by mental health**
11 **professionals - training - definition.** (1) A mental health care
12 professional who has provided documentation that he or she has been
13 trained to perform auricular acudetox in accordance with subsection (4)
14 of this section may perform auricular acudetox if the auricular acudetox
15 is performed under the mental health care professional's current scope of
16 practice. ~~and the mental health professional is:~~

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

22 Renumber succeeding sections accordingly.

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

24 Page 19, after line 16 insert:

25 "(3) (a) BEFORE SEPTEMBER 1, 2020, any person not otherwise
26 licensed, registered, or certified pursuant to this article 245 who is
27 practicing psychotherapy in this state shall register with the board by
28 submitting his or her name, current address, educational qualifications,
29 disclosure statements, therapeutic orientation or methodology, or both,
30 and years of experience in each specialty area. Upon receipt and review
31 of the required information, the board may approve the psychotherapist
32 for registration in the database required by subsection (1) of this section.

1 A registered psychotherapist shall update this information upon renewal
2 of his or her registration and at other times and under conditions specified
3 by the board by rule. At the time of recording the information required by
4 this section, the registered psychotherapist shall indicate whether he or
5 she has been convicted of, or entered a plea of guilty or nolo contendere
6 to, any felony or misdemeanor.

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

11 (II) ON AND AFTER SEPTEMBER 1, 2025, A PERSON WHO WISHES TO
12 PRACTICE PSYCHOTHERAPY IN THIS STATE MUST OBTAIN CANDIDATE FOR
13 LICENSURE STATUS OR A LICENSE TO PRACTICE AS A LICENSED MENTAL
14 HEALTH PROFESSIONAL PURSUANT TO PART 3, 4, 5, 6, OR 8 OF THIS ARTICLE
15 245."

16 Page 20, strike lines 14 through 22 and substitute:

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

19 **12-245-706. Repeal of part.** THIS PART 7 IS REPEALED, EFFECTIVE
20 SEPTEMBER 1, 2025.

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

23 **12-20-105. Fee adjustments - division of professions and**
24 **occupations cash fund created - legal defense account created -**
25 **definition.** (2) (b) (II) The costs of the state board of psychologist
26 examiners, the state board of marriage and family therapist examiners, the
27 state board of licensed professional counselor examiners, the state board
28 of social work examiners, ~~the state board of registered psychotherapists,~~
29 and the state board of addiction counselor examiners shall be considered
30 collectively in the renewal fee-setting process. Subsequent revenue
31 generated by the fees set by the boards ~~plus revenues generated pursuant~~
32 ~~to section 12-245-703~~ shall be compared to those collective costs to
33 determine recovery of direct and indirect costs.

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

36 **12-20-407. Unauthorized practice of profession or occupation**
37 **- penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor
38 and shall be punished as provided in section 18-1.3-501 for the first
39 offense and, for the second or any subsequent offense, commits a class 6
40 felony and shall be punished as provided in section 18-1.3-401 if the
41 person:

1 (V) Practices or offers or attempts to practice any of the following
2 professions or occupations without an active license, certification, or
3 registration issued under the part or article of this title 12 governing the
4 particular profession or occupation:

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

8 **SECTION 32.** In Colorado Revised Statutes, 12-30-102, **repeal**
9 (3)(a)(XVIII) as follows:

10 **12-30-102. Medical transparency act of 2010 - disclosure of**
11 **information about health care licensees - fines - rules - short title -**
12 **legislative declaration - definition - review of functions - repeal.**

13 (3) (a) As used in this section, "applicant" means a person applying for
14 a new, active license, certification, or registration or to renew, reinstate,
15 or reactivate an active license, certification, or registration to practice:

16 (XVIII) ~~Psychotherapy pursuant to part 7 of article 245 of this title~~
17 ~~12;~~

18 **SECTION 33.** In Colorado Revised Statutes, 12-200-108, **repeal**
19 (4)(a)(III) as follows:

20 **12-200-108. Unlawful acts - exceptions - definition.**

21 (4) (a) Notwithstanding any provision of this article 200 to the contrary,
22 a mental health care professional who has provided documentation that
23 he or she has been trained to perform auricular acudetox in compliance
24 with subsection (4)(d) of this section may perform auricular acudetox if
25 the auricular acudetox is performed under the mental health care
26 professional's current scope of practice, and the mental health care
27 professional is:

28 (III) ~~Registered as a psychotherapist pursuant to part 7 of article~~
29 ~~245 of this title 12.~~

30 **SECTION 34.** In Colorado Revised Statutes, **amend** 12-245-101
31 as follows:

32 **12-245-101. Legislative declaration.** The general assembly
33 hereby finds and determines that, in order to safeguard the public health,
34 safety, and welfare of the people of this state and in order to protect the
35 people of this state against the unauthorized, unqualified, and improper
36 application of psychology, social work, marriage and family therapy,
37 professional counseling, psychotherapy, and addiction counseling, it is
38 necessary that the proper regulatory authorities be established and
39 adequately provided for. The general assembly therefore declares that
40 there shall be established a state board of psychologist examiners, a state
41 board of social work examiners, a state board of marriage and family
42 therapist examiners, a state board of licensed professional counselor
43 examiners, ~~a state board of registered psychotherapists~~, and a state board

1 of addiction counselor examiners with the authority to license, register,
2 or certify, and take disciplinary actions or bring injunctive actions, or
3 both, concerning licensed psychologists and psychologist candidates,
4 licensed social workers, licensed marriage and family therapists and
5 marriage and family therapist candidates, licensed professional counselors
6 and licensed professional counselor candidates, ~~registered~~
7 ~~psychotherapists~~, and licensed and certified addiction counselors,
8 respectively, and mental health professionals who have been issued a
9 provisional license pursuant to this article 245.

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

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

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

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

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

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

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

27 ~~(I) Is a licensed school psychologist licensed pursuant to section~~
28 ~~22-60.5-210 (1)(b);~~

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

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

32 (16) "Registrant" means a psychologist candidate, marriage and
33 family therapist candidate, or licensed professional counselor candidate
34 registered pursuant to section 12-245-304 (3), 12-245-504 (4), or
35 12-245-604 (4), respectively. ~~or a registered psychotherapist.~~

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

38 **12-245-203. Practice outside of or beyond professional**
39 **training, experience, or competence - general scope of practice for**
40 **licensure, registration, or certification.** (2) The practice of
41 psychotherapy is one area of practice for mental health professionals
42 licensed, certified, or registered pursuant to this article 245 but may not
43 be the only or primary practice area of the professionals. ~~other than~~

1 ~~persons registered as psychotherapists pursuant to part 7 of this article~~
2 ~~245.~~ The requirements for licensure, registration, or certification as a
3 mental health professional pursuant to this article 245 are contained in
4 sections 12-245-303, 12-245-403, 12-245-503, 12-245-603, and
5 12-245-803, which define the practice of psychology, social work,
6 marriage and family therapy, licensed professional counseling, and
7 addiction counseling, respectively.

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

10 **12-245-205. Fees - renewal.** (4) The director shall coordinate
11 fee-setting pursuant to this section so that all licensees, registrants, and
12 certificate holders pay fees as required by this section. ~~and section~~
13 ~~12-245-703(1).~~

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

16 **12-245-210. Drugs - medicine.** Nothing in this article 245 permits
17 psychologists, social workers, marriage and family therapists, licensed
18 professional counselors, ~~psychotherapists,~~ and addiction counselors
19 licensed ~~registered,~~ or certified under this article 245 to administer or
20 prescribe drugs or in any manner engage in the practice of medicine as
21 defined by the laws of this state.

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

24 **12-245-213. Professional service corporations for the practice**
25 **of psychology, social work, marriage and family therapy,**
26 **professional counseling, and addiction counseling - definitions.**
27 (1) Licensees registrants, or certificate holders may form professional
28 service corporations for the practice of psychology, social work, marriage
29 and family therapy, professional counseling, psychotherapy, or addiction
30 counseling under the "Colorado Business Corporation Act", articles 101
31 to 117 of title 7, if the corporations are organized and operated in
32 accordance with this section. The articles of incorporation of a
33 professional service corporation formed pursuant to this section must
34 contain provisions complying with the following requirements:

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

42 (IV) The practice of licensed professional counseling, as defined
43 in section 12-245-603, by the professional service corporation is

1 performed by a licensed professional counselor acting independently or
2 under the supervision of a person licensed pursuant to this article 245 or
3 a licensed professional counselor. Any licensed professional counselor
4 member of the professional service corporation remains individually
5 responsible for his or her professional acts and conduct as provided
6 elsewhere in this article 245; OR

7 (V) The practice of addiction counseling, as defined in section
8 12-245-803, by the professional service corporation is performed by a
9 licensed addiction counselor acting independently or under the
10 supervision of a person licensed pursuant to this article 245 or a licensed
11 addiction counselor. Any licensed addiction counselor member of the
12 professional service corporation remains individually responsible for his
13 or her professional acts and conduct as provided in this article 245. or

14 ~~(VI) The practice of psychotherapy, as defined in section~~
15 ~~12-245-202, by the professional service corporation is performed by a~~
16 ~~registered psychotherapist acting independently or under the supervision~~
17 ~~of a person licensed pursuant to this article 245 or a registered~~
18 ~~psychotherapist. Any registered psychotherapist member of the~~
19 ~~professional service corporation remains individually responsible for his~~
20 ~~or her professional acts and conduct as provided in this article 245.~~

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

23 **12-245-216. Mandatory disclosure of information to clients.**

24 (1) Except as otherwise provided in subsection (4) of this section, every
25 licensee, registrant, or certificate holder shall provide the following
26 information in writing to each client during the initial client contact:

27 (d) A statement indicating that:

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

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

41 (4) The disclosure of information required by subsection (1) of
42 this section is not required when psychotherapy is being administered in
43 any of the following circumstances:

1 (g) By a person licensed or certified pursuant to this article 245.
2 or by a registered psychotherapist practicing in a hospital that is licensed
3 or certified under section 25-1.5-103 (1)(a)(I) or (1)(a)(II):

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

6 **12-245-217. Scope of article - exemptions.**(4) ~~The provisions of~~
7 ~~section 12-245-703 do not apply to employees of community mental~~
8 ~~health centers or clinics as those centers or clinics are defined by section~~
9 ~~27-66-101, but persons practicing outside the scope of employment as~~
10 ~~employees of a facility defined by section 27-66-101 are subject to the~~
11 ~~provisions of section 12-245-703.~~

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

14 **12-245-225. Authority of boards - cease-and-desist orders -**
15 **rules.** (1) If a licensee, registrant, or certificate holder violates any
16 provision of section 12-245-224, the board that licenses, registers, or
17 certifies the licensee, registrant, or certificate holder may, in accordance
18 with section 12-20-404:

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

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

24 **12-245-228. Unauthorized practice - penalties.** (1) Any person
25 who practices or offers or attempts to practice as a psychologist, social
26 worker, marriage and family therapist, licensed professional counselor,
27 psychotherapist, or addiction counselor without an active license
28 registration, or certification issued under this article 245 is subject to
29 penalties pursuant to section 12-20-407 (1)(a).

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

32 **12-245-231. Mental health professional peer health assistance**
33 **program - fees - administration - rules.** (5) As used in this section,
34 "mental health professional" means a psychologist, social worker,
35 marriage and family therapist, licensed professional counselor,
36 ~~psychotherapist~~, or addiction counselor regulated under this article 245.

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

39 **12-245-304. Qualifications - examinations - licensure.** (3)(b) A
40 psychologist candidate registered pursuant to this subsection (3) is under
41 the jurisdiction of the board. ~~The psychologist candidate may, but is not~~
42 ~~required to, register with the database of registered psychotherapists~~
43 ~~pursuant to section 12-245-703.~~ If the requirements of subsections (1)(d)

1 and (1)(e) of this section are not met within four years, the registration of
2 the psychologist candidate expires and is not renewable unless the board,
3 in its discretion, grants the candidate an extension. A person whose
4 psychologist candidate registration expires is not precluded from applying
5 for licensure or registration with any other mental health board for which
6 the person is qualified.

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

9 **12-245-306. Exemptions.** (6) ~~Nothing in this part 3 prevents the~~
10 ~~practice of psychotherapy by persons registered with the state board of~~
11 ~~registered psychotherapists pursuant to section 12-245-703.~~

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

14 **12-245-404. Qualifications - examination - licensure and**
15 **registration.** (4) ~~A person licensed as a licensed social worker pursuant~~
16 ~~to subsection (1) of this section may, but is not required to, register with~~
17 ~~the database of registered psychotherapists pursuant to section~~
18 ~~12-245-703.~~

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

21 **12-245-406. Scope of part.** (5) ~~Nothing in this part 4 prevents the~~
22 ~~practice of psychotherapy by persons registered with the state board of~~
23 ~~registered psychotherapists pursuant to section 12-245-703.~~

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

26 **12-245-504. Qualifications - examination - licensure and**
27 **registration.** (4) (b) A marriage and family therapist candidate who
28 registers with the board pursuant to this subsection (4) is under the
29 jurisdiction of the board. ~~and may, but is not required to, register with the~~
30 ~~database of registered psychotherapists pursuant to section 12-245-703.~~

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

33 **12-245-505. Rights and privileges of licensure and registration**
34 **- title.** (5) ~~Nothing in this part 5 prevents the practice of psychotherapy~~
35 ~~by persons registered with the state board of registered psychotherapists~~
36 ~~pursuant to section 12-245-703.~~

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

39 **12-245-604. Licensure - examination - licensed professional**
40 **counselors.** (4) (b) A licensed professional counselor candidate who
41 registers with the board pursuant to this subsection (4) is under the
42 jurisdiction of the board. ~~and may, but is not required to, register with the~~
43 ~~database of registered psychotherapists pursuant to section 12-245-703.~~

1 **SECTION 52.** In Colorado Revised Statutes, 12-245-605, **repeal**
2 (4) as follows:

3 **12-245-605. Rights and privileges of licensure - title.**
4 (4) ~~Nothing in this part 6 prevents the practice of psychotherapy by~~
5 ~~persons registered with the state board of registered psychotherapists~~
6 ~~pursuant to section 12-245-703.~~

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

9 **13-90-107. Who may not testify without consent - definitions.**
10 (1) There are particular relations in which it is the policy of the law to
11 encourage confidence and to preserve it inviolate; therefore, a person
12 shall not be examined as a witness in the following cases:

13 (g) A licensed psychologist, professional counselor, marriage and
14 family therapist, social worker, or addiction counselor, ~~a registered~~
15 ~~psychotherapist~~, a certified addiction counselor, a psychologist candidate
16 registered pursuant to section 12-245-304 (3), a marriage and family
17 therapist candidate registered pursuant to section 12-245-504 (4), a
18 licensed professional counselor candidate registered pursuant to section
19 12-245-604 (4), or a person described in section 12-245-217 shall not be
20 examined without the consent of the licensee's, certificate holder's,
21 registrant's, candidate's, or person's client as to any communication made
22 by the client to the licensee, certificate holder, registrant, candidate, or
23 person or the licensee's, certificate holder's, registrant's, candidate's, or
24 person's advice given in the course of professional employment; nor shall
25 any secretary, stenographer, or clerk employed by a licensed psychologist,
26 professional counselor, marriage and family therapist, social worker, or
27 addiction counselor, ~~a registered psychotherapist~~, a certified addiction
28 counselor, a psychologist candidate registered pursuant to section
29 12-245-304 (3), a marriage and family therapist candidate registered
30 pursuant to section 12-245-504 (4), a licensed professional counselor
31 candidate registered pursuant to section 12-245-604 (4), or a person
32 described in section 12-245-217 be examined without the consent of the
33 employer of the secretary, stenographer, or clerk concerning any fact, the
34 knowledge of which the employee has acquired in such capacity; nor shall
35 any person who has participated in any psychotherapy, conducted under
36 the supervision of a person authorized by law to conduct such therapy,
37 including group therapy sessions, be examined concerning any knowledge
38 gained during the course of such therapy without the consent of the
39 person to whom the testimony sought relates.

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

42 **18-6.5-108. Mandatory reports of mistreatment of at-risk**
43 **elders and at-risk adults with IDD - list of reporters - penalties.**

1 (1) (b) The following persons, whether paid or unpaid, shall report as
2 required by subsection (1)(a) of this section:

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

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

8 **19-1-307. Dependency and neglect records and information -**
9 **access - fee - rules - records and reports fund - misuse of information**
10 **- penalty - adult protective services data system check. (2) Records**
11 **and reports - access to certain persons - agencies.** Except as otherwise
12 provided in section 19-1-303, only the following persons or agencies shall
13 have access to child abuse or neglect records and reports:

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

27 (G) ~~Registered psychotherapists;~~

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

30 **19-3-304. Persons required to report child abuse or neglect.**

31 (2) Persons required to report such abuse or neglect or circumstances or
32 conditions include any:

33 (z) ~~Registered psychotherapists;~~

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

36 **24-1-122. Department of regulatory agencies - creation.**

37 (3) The following boards and agencies are transferred by a **type 1**
38 transfer to the department of regulatory agencies and allocated to the
39 division of professions and occupations:

40 (ll) ~~State board of registered psychotherapists, created by part 7~~
41 ~~of article 245 of title 12;~~

42 **SECTION 58.** In Colorado Revised Statutes, 26-3.1-102, **amend**
43 (1)(b)(VII) as follows:

1 **26-3.1-102. Reporting requirements.** (1) (b) The following
2 persons, whether paid or unpaid, are urged to report as described in
3 subsection (1)(a) of this section:

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

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

9 **30-10-606. Coroner - inquiry - grounds - postmortem - jury -**
10 **certificate of death.** (6) (a) Notwithstanding sections 12-245-220 and
11 13-90-107 (1)(d) or (1)(g), the coroner holding an inquest or investigation
12 pursuant to this section has the authority to request and receive a copy of:

13 (II) Any information, record, or report related to treatment,
14 consultation, counseling, or therapy services from any licensed
15 psychologist, professional counselor, marriage and family therapist, social
16 worker, or addiction counselor, certified addiction counselor, ~~registered~~
17 ~~psychotherapist~~, psychologist candidate registered pursuant to section
18 12-245-304 (3), marriage and family therapist candidate registered
19 pursuant to section 12-245-504 (4), licensed professional counselor
20 candidate registered pursuant to section 12-245-604 (4), or person
21 described in section 12-245-217, if the report, record, or information is
22 relevant to the inquest or investigation.

23 **SECTION 60. Act subject to petition - effective date.** Sections
24 30 through 44, 46, 48, 50, and 52 through 59 of this act take effect
25 September 1, 2025, and the remainder of this act takes effect at 12:01
26 a.m. on the day following the expiration of the ninety-day period after
27 final adjournment of the general assembly; except that, if a referendum
28 petition is filed pursuant to section 1 (3) of article V of the state
29 constitution against this act or an item, section, or part of this act within
30 such period, then the act, item, section, or part will not take effect unless
31 approved by the people at the general election to be held in November
32 2020 and, in such case, will take effect on the date of the official
33 declaration of the vote thereon by the governor; except that sections 30
34 through 44, 46, 48, 50, and 52 through 59 of this act take effect
35 September 1, 2025."

** *** ** *** **