Amend the Public Health Care and Human Services Committee Report, dated February 21, 2020, page 2, after line 11 insert:

"Page 10 of the printed bill, line 18, strike ""REGISTERED"" and substitute ""UNLICENSED"".

Page 5 of the report, strike line 6 and substitute:

"Page 19 of the bill, strike lines 5 through 16 and substitute:"

Page 6 of the report, strike lines 22 through 37.

Page 7 of the report, strike lines 1 through 12 and substitute "ACCREDITING ORGANIZATION.

SECTION 31. In Colorado Revised Statutes, 12-245-701, amend (1) as follows:

12-245-701. Definitions. As used in this part 7, unless the context otherwise requires:

(1) "Board" means the state board of registered psychotherapists created by section 12-245-702.

SECTION 32. In Colorado Revised Statutes, 12-245-702, amend (1), (3), and (4) as follows:

12-245-702. State board of unlicensed psychotherapists - creation - membership. (1) There is hereby created the state board of psychotherapists, which shall be under the supervision and control of the division as provided in section 12-20-103 (2). The board shall consist of seven members who are residents of the state of Colorado.

(3) Four members of the board must be registered psychotherapists. The governor shall appoint members to the board to serve terms of four years.

(4) Members of the state board of psychotherapists appointed under subsection (2) or (3) of this section may serve two full consecutive terms.

SECTION 33. In Colorado Revised Statutes, 12-245-703, amend (1), (2), (3), and (4) as follows:

12-245-703. Database of unlicensed psychotherapists - unauthorized practice - penalties - data collection. (1) The board shall maintain a database of all psychotherapists. The board shall charge a fee in the same manner as authorized in section
12-20-105 for recording information in the database as required by this section. Information in the database maintained pursuant to this section is open to public inspection at all times.

(2) A person who: Is licensed pursuant to part 3, 4, 5, 6, or 8 of this article 245; is registered as a psychologist candidate, licensed social worker, marriage and family therapist candidate, or professional counselor candidate; or is enrolled in a professional training program at an approved school and actively working toward acquiring and demonstrating the necessary qualifications for licensure set forth in section 12-245-304, 12-245-404, 12-245-504, 12-245-604, or 12-245-804 may, but is not required to, register with the database of registered unlicensed psychotherapists.

(3) (a) 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 unlicensed 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 unlicensed 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) A person registered as an unlicensed psychotherapist pursuant to this part 7 before the effective date of this subsection (3), as amended, and who meets the requirements of this section may to continue to practice as an unlicensed psychotherapist.

(4) An unlicensed person whose primary practice is psychotherapy or who holds himself or herself out to the public as able to practice psychotherapy for compensation shall not practice psychotherapy unless the person is registered with the board and included in the database required by this section. Notwithstanding the requirements of this section, a registered psychotherapist shall not use the term "licensed", "certified", "clinical", "state-approved", or any other term or abbreviation that would falsely give the impression that the psychotherapist or the service that is being provided is recommended by the state, based solely on inclusion in the database.
SECTION 34. In Colorado Revised Statutes, 12-245-801, amend".

Page 11 of the report, strike line 40.

Page 12 of the report, strike lines 1 through 3.

Renumber succeeding sections accordingly.

Page 12 of the report, line 11, strike "the state board of registered psychotherapists," and substitute "the state board of registered UNLICENSED psychotherapists,"

Page 13 of the report, line 26, strike "a state board of registered psychotherapists," and substitute "a state board of registered UNLICENSED psychotherapists,"

Page 13 of the report, lines 32 and 33, strike "registered psychotherapists," and substitute "registered UNLICENSED psychotherapists,"

Page 13 of the report, line 37, strike "and repeal (15)" and substitute "repeal (15); and add (17)"

Page 14 of the report, line 2, strike "the state board of registered psychotherapists," and substitute "the state board of registered UNLICENSED psychotherapists,"

Page 14 of the report, strike line 20 and substitute "12-245-604 (4), respectively, or a registered AN UNLICENSED psychotherapist.".

Page 14 of the report, after line 20 insert:
"(17) (a) "UNLICENSED 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 UNLICENSED PSYCHOTHERAPISTS PURSUANT TO SECTION 12-245-703 TO PRACTICE PSYCHOTHERAPY IN THIS STATE.
(b) "UNLICENSED 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 UNLICENSED PSYCHOTHERAPISTS PURSUANT TO SECTION 12-245-703."

Page 14 of the report, strike lines 28 through 30 and substitute "be the only or primary practice area of the professionals, other than persons registered as UNLICENSED psychotherapists pursuant to part 7 of this article 245. The requirements for licensure, registration, or certification as a".

Page 15 of the report, strike line 10 and substitute "(1)(b)(VI)".

Page 15 of the report, strike lines 29 through 41.

Page 16 of the report, strike lines 1 through 9 and substitute:

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

Page 16 of the report, strike line 11 and substitute "(1)(d)(IV), (1)(e), and (4)(g) as follows:".

Page 16 of the report, line 19, strike "psychologists AND" and substitute "psychologists;".

Page 16 of the report, lines 20 and 21, strike "counselors, and registered psychotherapists," and substitute "counselors; and registered UNLICENSED psychotherapists, ".

Page 16 of the report, strike lines 24 through 29 and substitute:

"(e) If the mental health professional is a registered AN UNLICENSED psychotherapist, a statement indicating that a registered AN UNLICENSED 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

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from the state."

Page 16 of the report, strike lines 33 through 35 and substitute:

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

Page 17 of the report, line 3, strike "repeal" and substitute "amend".

Page 17 of the report, strike lines 10 through 12 and substitute:

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

Page 17 of the report, strike lines 32 through 34 and substitute "the jurisdiction of the board. The psychologist candidate may, but is not required to, register with the database of registered AN UNLICENSED psychotherapists pursuant to section 12-245-703. If the requirements of subsections (1)(d)"

Page 17 of the report, line 41, strike "repeal" and substitute "amend".

Page 18 of the report, strike lines 2 through 16 and substitute:

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

SECTION 58. In Colorado Revised Statutes, 12-245-404, amend (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 AN UNLICENSED psychotherapists pursuant to section 12-245-703.

SECTION 59. In Colorado Revised Statutes, 12-245-406, amend (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 AN UNLICENSED psychotherapists pursuant to section 12-245-703.". 
Page 18 of the report, strike lines 22 and 23 and substitute "jurisdiction of the board and may, but is not required to, register with the database of registered UNLICENSED psychotherapists pursuant to section 12-245-703.".

Page 18 of the report, line 24, strike "repeal" and substitute "amend".

Page 18 of the report, strike lines 27 through 29 and substitute "- title."

Page 18 of the report, line 37, strike "repeal" and substitute "amend".

Page 18 of the report, line 40, strike lines 35 and 36 and substitute "jurisdiction of the board and may, but is not required to, register with the database of registered UNLICENSED psychotherapists pursuant to section 12-245-703.".

Page 18 of the report, line 43, strike "repeal" and substitute "amend".

Page 20 of the report, line 1, strike "AND".

Page 20 of the report, lines 1 and 2, strike '"and registered psychotherapists," and substitute "and registered UNLICENSED psychotherapists,".

Page 20 of the report, line 3, strike "repeal" and substitute "amend".

Page 20 of the report, line 24 and substitute:

"(G) Registered UNLICENSED psychotherapists;"

Page 20 of the report, line 25, strike "repeal" and substitute "amend".
Page 20 of the report, strike line 30 and substitute:

"(z) Registered UNLICENSED psychotherapists;".

Page 20 of the report, line 31, strike "repeal" and substitute "amend".

Page 20 of the report, strike lines 37 and 38 and substitute:

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

Page 21 of the report, line 4, strike "AND".

Page 21 of the report, lines 4 and 5, strike "and registered psychotherapists," and substitute "and registered UNLICENSED psychotherapists,".

Page 21 of the report, lines 15 and 16, strike "registered psychotherapist," and substitute "registered UNLICENSED psychotherapist,".

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