



CO L O R A D O

**Department of
Regulatory Agencies**

**2016 Departmental Regulatory Agenda
Submitted November 1, 2015**



COLORADO

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Regulatory Agenda 2016

DIVISION OF BANKING

Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Banking	Minimum Capital Ratios, Proposed Capital definitions and adequacy, Loan Production Offices.	CB101.51, CB101.52, CB101.53	Gain consistency with BASEL III capital rules, and update the definition and requirements for Loan Production Offices.	2/28/2016	State-chartered commercial banks and national banks.



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DIVISION OF INSURANCE (DOI)

Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Insurance-Licensing and Investigations	Regulation 1-2-13 - Cash-Bonding Agent and Professional Cash-Bail Agent Provisions for Release of Qualification Bond	§ 10-1-109, C.R.S.	Terms and conditions for release of the qualification bond for those agents whose license expired, was cancelled, surrendered, revoked other otherwise inactivated prior to July 1, 2012	Fall 2016	Bail Agents/Consumers
Insurance-Licensing and Investigations	Regulation 1-2-14 - Concerning Record Keeping and Reporting Requirements for Insurance Producers Authorized to Write Bonds, and the Format of the Required Disclosure Statement	§§ 10-1-108(7), 10-1-109, 10-2-104, and 10-2-705, C.R.S.	Annual reports and document retention for insurance producers – revision due to statutory changes	Summer 2016	Bail Agents/Consumers
Insurance-Licensing and Investigations	Regulation 1-2-16 - Insurance Producer Appointment and Termination Requirements for Bail Insurance Companies and Credentials Required by § 10-2-418(2), C.R.S.	§§ 10-1-109 and 10-2-104, C.R.S.	Requirements for the appointment and termination of insurance producers by bail insurance companies – revision due to statutory changes	Fall 2016	Bail Agents/Consumers



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Insurance-Title	Regulation 3-5-2 - Title Insurer Assessment	§§ 10-1-109 and 10-3-207, C.R.S.	Establish the standard to determine the amount each title insurer shall be assessed in accordance with § 10-3-207, C.R.S. – update based upon moving of title into the 8-series	Spring 2016	Title Insurance Companies and Consumers
Insurance-Market Conduct	Regulation 4-2-17 - Prompt Investigation of Health Claims Involving Utilization Review and Denial of Benefits and Rules Related to Internal Claims and Appeals Processes	§§10-1-109, 10-3-1110, 10-16-109, and 10-16-113(2) and (10), C.R.S.	Utilization review and certain denials of benefits for treatment, as well as rescission, cancellation, or denial of coverage – revision due to identified need for additional clarity	Fall 2016	Consumers
Insurance-Market Conduct	Regulation 4-2-31 - Annual Health Reporting and Data Retention Requirements	§§ 10-1-109, 10-3-109, 10-16-111(4), 10-16-119(3) and 10-16-134, C.R.S.	Define uniform reporting, filing and data retention requirements for the hospital reimbursement rate report and the Annual Cost Report - Revised annually	Fall 2016	Carriers offering health coverage in Colorado



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Insurance-Property and Casualty	Regulation 5-2-12 - Concerning Automobile Insurance Consumer Protections	§§ 10-1-109, 10-4-601.5, 10-4-625 and 10-4-628(4), C.R.S.	Establish rules governing the rejection of coverage, cancellation, nonrenewal, increase in premium, and reduction in coverage on complying policies of automobile insurance	Spring 2016	Consumers and automobile insurance providers
Insurance-Property and Casualty	Regulation 5-2-15 - Concerning Consumer Protection for Vehicle Valuation and Rental Reimbursement	§§ 10-1-109, 10-3-1110 (2), 10-4-601.5 and 10-4-639 (3) (4), C.R.S.	Establish standards for payment of claims for vehicle rental and collision damage waivers, and for valuation of total loss claims under private passenger auto insurance policies	Spring 2016	Consumers and automobile insurance providers
Insurance-Property and Casualty	Regulation 5-2-16 - Disclosure Requirements for Private Passenger Automobile Policies	§§ 10-1-109, 10-4-111(5), 10-4-601.5, 10-4-636, and 10-4-641(1) C.R.S.	Provide summary disclosure requirements and the summary disclosure form for private passenger automobile insurance	Spring 2016	Consumers and automobile insurance providers
Insurance-General	Regulation 6-4-1 - Privacy of Consumer Financial and Health Information	§§ 10-1-108 C.R.S., 10-1-109, C.R.S; 10-5-117, C.R.S.; 10-16-109 C.R.S.; and 10-16-401(4)(o) C.R.S.	Requirements for treatment of nonpublic personal health information and nonpublic personal financial information about individuals – Update based on new NAIC model in process	Winter 2016	Consumers and Insurance companies



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Insurance-General	Regulation 6-4-2 - Standards for Safeguarding Customer Information	§§10-1-109, C.R.S; 10-16-109, C.R.S.; and 10-16-401(4)(o), C.R.S.	Establish standards for developing and implementing administrative, technical and physical safeguards to protect the security, confidentiality and integrity of customer information – Update based on new NAIC model in process	Winter 2016	Consumers and Insurance companies
Insurance-Licensing and Investigations	Regulation 7-1-1 - Registration Requirement, Fees for Cash-Bonding Agents and Professional Cash-Bond Agents	§§10-1-109(1), 10-23-102, and 10-23-104, C.R.S.	Establish procedures and fees related to obtaining, maintaining, renewing and reinstating registration as a Cash-Bonding Agent or Professional Cash-Bail agent with the Division – Update fee schedule	Fall 2016	Cash-Bonding Agents and Professional Cash-Bond Agents



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Insurance-Licensing and Investigations	Regulation 7-1-3 - Concerning Record Keeping and Reporting Requirements for Cash-Bonding Agents and Professional Cash-Bonding Agents and the Format of the Required Disclosure Statement	§§ 10-1-109, 10-23-102, and 10-23-108, C.R.S.	Establish the requirements to file the required annual report, the format of the Disclosure Form, and describe additional documents that must be retained by Cash-Bonding Agents and Professional Cash-Bail Agents – revise based on statutory changes	Fall 2016	Cash-Bonding Agents and Professional Cash-Bond Agents
Insurance-Title	New Regulation- Title Insurance Standards of Conduct	§§ 10-1-108(7), 10-1-109, 10-2-104, 10-3-1110, 10-11-116, 10-11-119, and 10-11-124(2) C.R.S.	Interpret and implement title insurance codes; promote public welfare by proscribing lawful and anti-discriminatory practices; ensure consumer benefits of competition in areas of title insurance.	Spring 2016	Title insurance companies and consumers



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DIVISION OF PROFESSIONS AND OCCUPATIONS (DPO)

Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Colorado Podiatry Board	Board Rules 100, 110, 120, 130, 135, 140, 150, 200, 220, 230, 240, 280, 290, 400 and 700.	12-32-104(1)(a), C.R.S.	Review Rules for grammar, accuracy, clarity and consistency in structure. To also move all rules into one CCR. Currently each Rules exists in its own CCR: 3 CCR: 712-1, 712-2, 712-3, 712-4, 712-10, 712-15, 712-5, 712-6, 712-11, 712-12, 712-13, 712-8, and 712-9.	Spring/Summer 2016	Consumers, applicants, podiatrists and residents or fellows training in approved residency programs.
Office of Respiratory Therapy Licensure	Add Rule regarding duty to self-report certain medical conditions per C.R.S. 12-41.5-109.7.	12-41.5-113, C.R.S.	To clarify C.R.S. 12-41.5-109.7 and to gain consistency with other Boards and Programs that have statutory authority to enter into confidential agreements with licensees/registrants.	Fall 2016	Respiratory Therapists
State Board of Optometry	Amend Rule number 10 to add competency requirements.	12-40-107(1)(g), C.R.S.	Gain consistency with other programs and ensure that applicants seeking licensure by examination meet competency requirements.	Summer 2016	Optometrists and consumers



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Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Naturopathic Doctor Registration Program	Amend Rule 7 Medicines and devices used in the practice of naturopathic medicine	12-37.3-105	Clarification of additions to formulary	Spring 2016	Consumers, Licensees
Naturopathic Doctor Registration Program	Amend Rule to reflect a change in treating children under the age of 2	12-37.3-105	Clarification of qualification to treat under 2 years of age	Spring 2016	Consumers, Licensees
Pharmacy	3.00.27	Sections 12-42.5-101, 12-42.5-105, 12-42.5-106(2) and 24-4-103, C.R.S.	Address circumstances under which a pharmacist at one prescription drug outlet may reconstitute a drug received from another prescription drug outlet.	Spring 2016	Consumers, licensees, registrants.



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Pharmacy	Amend 21.00.00	Sections 12-42.5-101, 12-42.5-105, 12-42.5-106(2) and 24-4-103, C.R.S.	Clarify: (1) licensed practitioners to whom in-state prescription drug outlets may distribute compounded products (to include acupuncturists, direct-entry midwives, and naturopathic doctors); (2) drug recall requirements; (3) compounding requirements for allergen extracts; and (4) sterilization requirements for some low-risk compounded products.	Spring 2016	Consumers, licensees, registrants, including those in other programs to include acupuncturists, direct-entry midwives, and naturopathic doctors.
Pharmacy	Amend 3.00.00, 6.00.10 & 14.00.00	Sections 12-42.5-101, 12-42.5-105, 12-42.5-106(2) and 24-4-103, C.R.S.	Review Rules for grammar, accuracy, clarity and consistency in structure.	Spring 2016	Consumers, licensees, registrants.



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Colorado Medical Board	New Board Rule 210,	12-36-104(1)(a); 24-4-103, C.R.S.	To clarify conduct that does not meet generally accepted standards of practice into one rule, which will also include content of 260 and 280 leading to repeal of Rules 260 and 280.	Winter/Spring 2016	Consumers, licensee, and employers.
Colorado Medical Board	Repeal Rule 260 and s80	12-36-104(1)(a); 24-4-103, C.R.S.	To clarify and combine conduct that does not meet generally accepted standards of practice into a single Rule (new Rule 210)	Winter/Spring 2016	Consumers, licensee, and employers.
State Board of Nursing	Amend Board Rule Chapter 14	12-38-108(1)(d) and (j), 12-38-111.5, and 12-38-111.8, C.R.S.	To conduct total rule review for continued relevancy and clarity; and specifically to clarify that "practice in any state" includes advanced practice nursing while serving in any branch of the United States Military, and the competence requirements for reinstatement and endorsement.	Mid 2016	Consumers, licensees, and employers.



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State Board of Nursing	Amend Board Rule Chapter 1	12-38-108(1)(b),(c) and (j); 12-38-110; 12-38-111; 12-38-112; 12-38-112.5; and 12-38-118, C.R.S.	To conduct total rule review for continued relevancy and clarity; and specifically to clarify continued competence requirements for endorsement, reinstatement, and reactivation, and NCLEX examination requirements.	Mid 2016	Consumers, licensees, and employers.
State Board of Nursing	Amend Board Rule Chapter 2	12-38-108(1)(a)(j) and 12-38-116, C.R.S.	To add, clarify nurse education clinical simulation curriculum requirements	Early 2016	Consumers, licensees, and nurse education programs
Office of Athletic Trainer Registration	Program sunsets June 30, 2016; repeal Rules 1 - 9 (4 CCR 735-1)	12-29.7-112; 12-29.7-114; and 24-34-104(5)(a) & (b), C.R.S.	To fully implement the sunset process of the Practice Act	Spring /Summer 2016	Consumers and licensees
Colorado Board of Chiropractic Examiners	Amend Board Rule 1 Inactive License Status	24-34-102(8)	Removing outdated references	Mid 2016	Licensed chiropractors



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Colorado Board of Chiropractic Examiners	Amend Board Rule 3 Professional Liability	12-33-116.5	Clarification on notice to patients in uncompensated care and clarification for animal chiropractors	Mid 2016	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Amend Board Rule 4 Reporting Criminal Convictions, Judgments, and Administrative Proceedings	12-33-117 (j)	Clarification by adding the term "award" to differentiate it from the terms "settlement" and "judgment" as used in the statute. Making reporting timeframes consistent with other programs	Mid 2016	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Consider revising Rule 6 Patient Assessment and Electrotherapy/Physical Remedial Measures	12-33-107(1)(a), C.R.S. and 12-33-102(1) and (3), C.R.S.	Clarification on authority requirements for physiotherapy vs. electrotherapy	Mid 2016	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Consider revising Rule 7 Scope of Practice and/or possible addition of a new rule	12-33-107(1)(a), C.R.S.	Consider revisions to current Rule 7 and/or addition of a new rule to further clarify the scope of practice for chiropractors.	Mid 2016	Consumers, licensed chiropractors



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Colorado Board of Chiropractic Examiners	Consider revising Rule 8 Continuing Education	12-33-116, C.R.S.	Consider requiring certain continuing education (CE) hours be completed through specific organizations, and consider adding a requirement for a certain amount of CE hours to include a course in regulatory education	Mid 2016	Consumers, licensed chiropractors, continuing education providers
Colorado Board of Chiropractic Examiners	Amend Board Rule 11 Use of Credentials	12-33-118	Clarification regarding the proximity of the words "doctor" and "chiropractic", in the use of advertisements or written credentials.	Mid 2016	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Amend Board Rule 12 Misleading, Deceptive, False, or Unethical Advertising	12-33-117(1)(i)(p) and (3)(a)	Clarification of how advertising claims can be substantiated	Mid 2016	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Consider revising Rule 13 Advertisement of Free or Discounted Services	12-33-107(1)(a), C.R.S. and 12-33-117(3)(a), C.R.S.	To address pre-pay contracts vs. contracts in general, and when patients should be released from these agreements	Mid 2016	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Amend Board Rule 17 Acupuncture	12-33-102(1.7)	Clarification of acupuncture education requirements	Mid 2016	Consumers, licensed chiropractors



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Colorado Board of Chiropractic Examiners	Amend Board Rule 19 Safety Training for Unlicensed Chiropractic Personnel	12-33-128	Clarification of "direct supervision" and addition of preceptorship concept	Mid 2016	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Consider revising Rule 20 Termination of Practice upon Suspension, Relinquishment or Revocation	12-33-107(1)(a), C.R.S.	To address requirements for closing a practice and a licensee's passing away	Mid 2016	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Amend Board Rule 24 General Licensing Provisions	12-33-114.5	Clarification of a timeframe for reporting a change of address, to make this requirement consistent with other programs	Mid 2016	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Amend Board Rule 30 Patient Consultation	12-33-117(b)	Clarification of a generally accepted standard of practice	Mid 2016	Consumers, licensed chiropractors



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Board of Licensed Professional Counselor Examiners	Clean-up of statutory citations in all rules. Revision to rule 18, 14 and creation of rule for auricular acudetox	12-43-221(2), 12-43-228.5, 12-43-605, C.R.S.	Rule 18 outlines the requirements for continuing professional competence. Clarification of the rule is necessary to establish that volunteer hours are not acceptable for license reinstatement. Rule 14 outlines licensure and supervision requirements. The board is interested in changing the supervised hour requirements necessary for licensure. Establish a rule for auricular acudetox.	Fall 2016	Applicants, consumers, licensees
Board of Psychologist Examiners	Clean-up of statutory citations in all rules. Revision to rule 18, 14 and creation of rule for auricular acudetox. Additions regarding CCE required through HB 15-1067.	12-43-221(2), 12-43-228.5, 12-43-307, 12-43-605, C.R.S.	Rule 14 outlines licensure and supervision requirements. The board is interested in changing the supervised hour requirements necessary for licensure. Establish a rule for auricular acudetox. Implement new CCE requirements for psychologists.	Fall 2016	Applicants, consumers, licensees



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Board of Social Work Examiners	Clean-up of statutory citations in all rules. Revision to rule 18, 14 and creation of rule for auricular acudetox	12-43-221(2), 12-43-228.5, 12-43-504, C.R.S.	Rule 18 outlines requirements for continuing professional competence. Clarification of the rule is necessary to establish that volunteer hours are not acceptable for license reinstatement. Rule 14 outlines licensure and supervision requirements and needs to be clarified. Establish a rule for auricular acudetox.	Fall 2016	Applicants, consumers, licensees
Board of Marriage and Family Therapist Examiners	Clean-up of statutory citations in all rules. Revision to rule 18, 14 and creation of rule for auricular acudetox	12-43-221(2), 12-43-228.5, 12-43-504, C.R.S.	Rule 18 outlines the requirements for continuing professional competence. Clarification of the rule is necessary to establish that volunteer hours are not acceptable for license reinstatement. Rule 14 outlines licensure and supervision requirements and needs to be clarified. Establish a rule for auricular acudetox	Fall 2016	Applicants, consumers, licensees



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Board of Addiction Counselor Examiners	Clean-up of statutory citations in all rules. Revision to rule 18, 14 and creation of rule for auricular acudetox	12-43-221(2), 12-43-228.5, 12-43-804, C.R.S.	Rule 18 outlines the requirements for continuing professional competence. Clarification of the rule is necessary to establish that volunteer hours are not acceptable for license reinstatement. Rule 14 outlines licensure and supervision requirements and needs to be clarified. Establish a rule for auricular acudetox.	Fall 2016	Applicants, consumers, licensees
Board of Registered Psychotherapists	Clean-up of statutory citations in all rules. Revision to rule 18, 14	12-43-221(2), C.R.S.	Clean-up statutory citations.	Fall 2016	Applicants, consumers, licensees
State Board of Veterinary Medicine	Addition of new rule to incorporate statutory language	12-64-126	Clarification of the Board's capacity to enter into confidential agreements with a licensee after a mental status evaluation.	Mid 2016	Licensees



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Office of Outfitters Registration	Revise and create new rules to implement statutory changes made in 2014 legislation.	12-55.5-104(1)(a), C.R.S.	To implement legislative changes made to the practice act.	Mid 2016	Consumers, licensees, Federal and State land permitting agencies, and the professional association
Office of Barber and Cosmetologist	Revise and create new rules to implement statutory changes made in 2015 legislation.	12-8-108(1)(a), C.R.S.	To implement legislative changes made to the practice act.	Mid 2016	Consumers, licensees, public and private schools, applicants
Office of Funeral Homes & Crematories	Amend/implement rules based on the 2015 sunset review process	12-54-113 C.R.S. & 12-54-308, C.R.S.	To implement legislative changes made to the practice act.	First Quarter, 2016	Registrants & Consumers
Office of Funeral Homes & Crematories	Add requirement to cooperate with program investigation.	12-54-401(8)(a) in conjunction w/ 12-54-401(3), C.R.S.	To make program rules consistent with other programs that require a registrant to cooperate with an investigation.	First Quarter, 2016	Registrants & Consumers
Office of Funeral Homes & Crematories	New rule concerning the name of a Funeral Home or Crematory.	12-54-401(8)(a), C.R.S.	Require the registered name of Funeral Home or Crematory to correspond to the records of the Secretary of State.	First Quarter, 2016	Registrants & Consumers



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Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	Consideration of defining and setting requirements for sealing Record Set architecture drawings	12-25-317(3), C.R.S.	This information was removed from statute in 2013 to be addressed in rule.	Spring/Summer 2016	Licensed architects, local building plan reviewers, consumers.
Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	Board Rule 7.2 Retaining Architecture Documents.	12-25-307(1)(a), C.R.S.	To consider defining "beneficial use" with regard to document retention.	Spring/Summer 2016	Licensed architects, local building plan reviewers, consumers.
Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	Revise 6.4, 6.5, 6.11-13	12-25-207(1)(a), C.R.S.	Monument requirements are contained or referenced in multiple rules. The purpose of the proposal rules is to consider condensing these requirements in a more manageable and clear set of rules.	Spring/Summer 2016	licensed land surveyors
Electrical Board	Remove Rule 6.4.9 forbidding pre-approval of CC courses.	12-23-104(a) C.R.S.	Allow for pre-approval of professional development unit (PDU) courses for the Continuing Competency (CC) requirement.	Fall 2016	Licensed electricians, professional development unit providers, electrical professional associations.



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Electrical Board	Add new rules to outline the process for submitting applications as a professional development unit (PDU) provider for pre-approval by continued competency (CC).	12-23-104(a) C.R.S.	Outline requirements for professional development unit (PDU) provider processes, including instructor approval for PDUs.	Fall 2016	PDU vendors, instructors
Office of Boxing	Review of all program rules	12-10-103(15), C.R.S.	Consider revising rules for clarity and continued relevance, as pertaining to fighter safety, the decision appeals process, and general program administration.	Mid 2016	Event Promoters, Officials and Referees, Fighters, and Corners
Dental Board	Rules IV-VIII: license presentations, education & research, treatment provider education, patient records retention, patient records in custody of a dentist/dental hygienist; X: ionizing radiation; XV-XVIII: pediatric case management, infection control, advertising, termination of practice > 90 days; XIX-termination of practice < 90 days; XX-XXII: compliance with Board subpoena, declaratory order, practice monitor consultant guidelines.	Section 12-35-107(1)(b), C.R.S.	Determine whether rules need to be amended, transitioned to policies, or repealed, and whether new rules should be added, based on concerns with effectiveness and current needs.	Fall 2016	Consumers, licensees, and unlicensed personnel.



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State Physical Therapy Board	Rule 101 concerning licensure/certification requirements/military experience; Rule 209 concerning declaratory order; Rule 210 concerning physical therapy on animals, Rule 211 concerning dry needling; Rule 213 concerning continuing professional competency; Rule 214 concerning criminal convictions; and Rule 301 concerning supervision for physical therapist assistant.	Section 12-41-103.6(2)(b), C.R.S.	Review rules to determine whether rules need to be amended, transitioned to policies, or repealed, and whether new rules should be added, based on concerns with effectiveness and current needs.	Spring 2016	Consumers, applicants, licensees, and certificate holders.
State Physical Therapy Board	All rules	Section 12-41-103.6(2)(b), C.R.S.	Re-order, re-organize, and possibly re-number rules only; no substantive changes.	Summer 2016	Consumers, applicants, licensees, and certificate holders.



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Office of Audiology Licensure	Rules 1-10: original licensure, licensure by endorsement, requirements for reinstatement, patient medical records, malpractice coverage, written disclosures, trainees /apprentices/associates, reporting convictions, duty to report, and declaratory orders.	Sections 12-29.9-106(2), 12-29.9-109(5), 12-29.9-112(1), and 12-29.9-115(5), C.R.S.	Review all rules to determine the need to amend or repeal, or the need to add new rules, based on concerns with effectiveness and current needs.	Summer 2016	Consumers, applicants, and licensees.
Office of Hearing Aid Provider Licensure	Rules 1-4 concerning original licensure; licensure by endorsement; hearing aid provider trainees, apprentices, and associations; and requirement for reinstatement.	Section 12-5.5-301(4), C.R.S.	Amend rules 1, 2, 3, and 4 to clarify section 12-5.5-202(1)(b), C.R.S, as it relates to issuing or denying a license within 60 days after the date the application is received.	Spring 2016	Applicants for licensure.
Office of Hearing Aid Provider Licensure	Rules 1-9 concerning original licensure; licensure by endorsement; hearing aid provider trainees, apprentices, and associations; requirement for reinstatement; customer records, written disclosures; reporting convictions; duty to report; and declaratory orders.	Sections 12-5.5-101(6)(a)(I), 12-5.5-201(3)(a), 12-5.5-203(2), 12-5.5-204(7), and 12-5.5-301(4), C.R.S.	Review all rules to determine the need to amend or repeal, or the need to add new rules, based on concerns with effectiveness and current needs.	Summer 2016	Consumers, applicants, and licensees.



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PUBLIC UTILITIES COMMISSION (PUC)

Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
PUC – Rail/Transit Safety	723-7-7002, 7201, 7203, and 7204 (Revisions)	Changes are necessary due to changes in federal rules.	Changes are needed to comply with similar changes made in the Manual on Uniform Traffic Control Devices. Other changes are to add clarity to processes and to make the rules more consistent with other fixed utility application rules.	4th Quarter 2016	Railroads, railroad corporations, rail fixed guideway systems and those providing transportation by rail, and roadway authorities that have public highway-rail crossings in their jurisdictions.
PUC - Telecommunications	723-2 All (Revisions)	Comprehensive statutory changes to 40-15, C.R.S. resulting from HB14-1328, 1329, 1330 and 1331.	Modify existing telecom rules to implement legislation that eliminated, reduced or otherwise redefined the PUC's jurisdiction and oversight of telecom retail and wholesale products, services and related operations and programs.	1st Quarter 2016	All telecom providers and telecom consumers.



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Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
PUC-Gas Pipeline Safety	723-4-4800 (Revisions)	40-2-155, C.R.S. and the adoption by reference of U.S.DOT Part 192.	Clarify existing Part 192 Distribution Integrity management Program (DIMP) requirements for small operator; provide alternative form of compliance. Add requirement for owners of master metered or propane gas system to file an annual facility report. Add requirement for jurisdictional pipeline operators to telephonically report over-pressurization and certain outage events.	2nd Quarter 2016	Small master meter and LPG jurisdictional pipeline operators.
PUC-Gas Pipeline Safety	723-4-4900 (New and Revisions)	Changes are necessary due to changes in federal rules and administrative updates.	Update existing rules to clarify processes. Changes to increase Commission oversight/interaction with pipeline safety issues. Adopt most recent changes to federal rules from PHMSA.	2nd Quarter 2016	All jurisdictional pipeline operators.



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Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
PUC-Transportation	723-6-6000, 6100, 6200 and 6300 (Revisions)	40-10.1, C.R.S.	Clarify definitions, update application information requirements and clarify safety rules. Also, eliminate nonessential or outdated rules to reduce burden on carriers.	1st Quarter 2016	All common and contract carriers and limited regulation carriers.
PUC-Transportation	723-6-6500 (Revisions)	HB14-1031 and Executive Order A2014-207	Update Towing rules and implement rates for nonconsensual tows of all size vehicles, not just those weighing less than 10,000 GVWR.	1st Quarter 2016	All towing carriers.
PUC-Electricity and Gas	723-3-3411 and 3412 (Revisions) 723-4-4411 and 4412 (Revisions)	40-8.7-101-111, C.R.S.	Update the Commission rules regarding the electric and gas service low income programs.	2nd Quarter 2016	All electric and gas utilities, low income consumers, LEAP, and EOC.
PUC-Gas	723-4 (Revisions)	General Statutory Authority for rulemaking.	Update incorporations by reference of federal rules and safety codes. General clean up and updating of outdated rules.	2nd Quarter 2016	All gas utilities.



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DIVISION OF REAL ESTATE

Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Real Estate-Real Estate Commission	Licensing, continuing education and practice standard rules - new and revised	12-61-114(4), 12-61-114.5	Review and revision of broker and subdivision rules to determine the need to amend, repeal or add based on effectiveness, current needs, practice deficiencies, and necessity.	Throughout 2016	Real Estate Brokers, Subdivision Developers
Real Estate-Board of Mortgage Loan Originators	Licensing, continuing education and practice standard rules - new and revised	12-61-902.5(2), 12-61-905(10), 12-61-905.1(3)	Review and revision of mortgage loan originator and mortgage company rules to determine the need to amend, repeal or add based on effectiveness, current needs, practice deficiencies, and necessity.	Throughout 2016	Mortgage Loan Originators, Mortgage Companies
Real Estate-Community Association Managers	Licensing, continuing education and practice standard rules - new and revised	12-61-1002(2)	Promulgate new rules and revise existing rules necessary to implement HB13-1277 and HB15-1343.	Throughout 2016	Community Association Managers, Homeowner Associations, Homeowners residing within common interest communities



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Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Real Estate-Board of Real Estate Appraisers	Licensing, continuing education and practice standard rules - new and revised	12-61-704	Review and revision of appraiser and appraiser management company rules to determine the need to amend, repeal or add based on effectiveness, current needs, practice deficiencies, and necessity.	Throughout 2016	Real Estate Appraisers, Appraisal Management Companies
Real Estate-Conservation Easement Program	Certification, practice standards and tax credit application rules	12-61-724, 12-61-726, 12-61-727	Review and revision of rules to determine the need to amend, repeal or add based on effectiveness, current needs, practice deficiencies and necessity; and to clarify application requirements and standards.	Throughout 2016	Holders of conservation easements, real estate appraisers, landowners seeking a tax credit, Colorado taxpayers



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DIVISION OF SECURITIES

Division Board/Program	Proposed New Rule or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/Parties Potentially Affected (Positively or Negatively)
Securities	Specify that certain documents filed electronically with the SEC, and accessible by the Division, are considered filed with the Division.	11-51-704	Reduce and eliminate paper filing requirements to lessen regulatory burdens on licensees and save the Division/Department and issuers time, resources, and expenses/money.	1/1/2016	Issuers of securities that are also registering securities with the SEC.
Securities	Require issuers conducting private placements in Colorado to file Form D electronically through NASAA's Electronic Filing Depository system.	11-51-704	Reduce and eliminate paper filing requirements to lessen regulatory burdens on licensees and save the Division/Department and issuers time, resources, and expenses/money.	1/1/2016	Issuers conducting private placements in Colorado.

Divisions may have additional rules that will be reviewed during the 2016 Regulatory Agenda Year, in compliance with the requirements and schedule established pursuant to SB 14-063 Concerning the Mandatory Review of Existing Executive Branch Agency Rules conducted by Each Principal Department. In the event the review of any additional rules prompts rulemaking proceedings during this Regulatory Agenda year, the respective rules and information will be identified in the 2016 Regulatory Agenda Report.