

Changes to the Medical Practice Act

During the 2010 legislative session, HB10-1260 was passed, continuing the Medical Board and making changes to the medical practice act. A summary of changes follows.

All future communications regarding the implementation of this legislation will be by email. To receive email updates please sign up [here](#).

Board

- The Colorado State Board of Medical Examiners was renamed the Colorado Medical Board.
- The Board composition was expanded to include three new members: a Doctor of Osteopathy, a Physician Assistant, and a Doctor of Medicine.

Licenses

- *Pro-bono* licenses may be issued to physicians who:
 - a) Hold an active and unrestricted Colorado medical license, which has never been revoked or suspended
 - b) Will not practice more than 60 days in a calendar year
 - c) Do not charge for his or her services
 - d) Maintain professional liability insurance
 - e) License cost will be less than half that of the regular license renewal fee.
- *Re-entry* licenses may be issued for up to three years to physicians and physician assistants who:
 - a) Have not actively practiced or maintained continued competency for the two-year period immediately preceding application
 - b) Agree to evaluations, assessments and educational programs by the board or its designee
 - c) Full licensure can be sought after successfully completion of educational programs and/or supervision

Physician Assistant Supervision

- Physicians may be the primary physician supervisor for up to four Physician Assistants

Confidential Agreements for Illness and Conditions that Effect Practice

- If a physician or physician assistant has a physical or mental illness/condition that affects the skill or safety of patient care, he or she must notify the board (the board will create rules and policies to clarify the statute in August)
- The board or its designee may make an evaluation to determine if limited medical services can be rendered with reasonable skill and safety
- A licensee and the Board may enter into a Confidential Agreement that:
 - Limit a licensee's practice
 - Is not considered discipline or unprofessional conduct
 - Requires evaluations and monitoring of the licensee
 - May be dissolved if the licensee's conditions change

Protection of Medical Records

- All physicians and physician assistants are required to develop a medical records plan that includes information regarding the:
 - Proper storage and disposal of patient records
 - Disposition of records if the licensee dies, retires, or ceases practice including:
 - Method for patients to promptly obtain their records if these events transpire
 - Each patient will receive a written copy of the method to obtain their records
- Upon initial and renewal application, the licensee must attest that he or she is in compliance with this requirement

Discipline

- Adverse actions taken against a licensee (by another licensing agency, peer review body, healthcare facility, professional association, governmental agency, law enforcement agency or court) must be reported to the Board within 30 days
- Surrender of a license, medical staff membership, or association membership while under investigation of those bodies must be reported to the Board within 30 days
- Fines of up to \$5,000 may be imposed *in addition* to discipline (previously fines were *in lieu* of discipline)

Liability Insurance

- Professional liability insurance must be at a minimum of one million dollars per incident and three million dollars aggregate per year.

Corporate Practice of Medicine

- Physician Assistants may now be shareholders in corporations formed to provide medical services
- The majority of shareholders in the corporation must still be licensed, actively practicing physicians.

All future communications regarding the implementation of the items listed above will be by email. You are strongly encourage to sign up [here](#) to receive this updates so you can assure you are in compliance with all requirements pertaining to your license.