

DEPARTMENT OF REGULATORY AGENCIES

Division of Registrations

STATE BOARD OF NURSING

3 CCR 716-1

Chapter XVI

DUTY TO REPORT FELONIES

BASIS: The authority for the promulgation of these rules and regulations by the State Board of Nursing is set forth in sections 12-38-108(1)(j) and 12-38-117(1)(b), C.R.S.

PURPOSE: The purpose of these rules and regulations is to set forth the requirements and procedures of reporting felony convictions for Nurse Aides, Psychiatric Technicians, Practical Nurses, and Professional Nurses in the state of Colorado.

1. REPORTING FELONY CONVICTIONS

- 1.1 Any individual licensed or certified pursuant to sections 12-38.1-102(3); 12-42-102(4); or 12-38-103(8) and (11), C.R.S., shall inform the Board, in a manner set forth by the Board, within forty-five (45) days of the following occurrences:
 - A. The conviction of the certificate holder or licensee of a felony under the laws of any state or of the United States, as described in section 12-38-117(1)(b); 12-38.1-111(1)(b); or 12-42-113(1)(b) C.R.S.
 - B. For purposes of these rules a plea of guilty or a plea of nolo contendere (no contest), accepted by the court, or the imposition of a deferred judgment/sentence is considered a conviction.
- 1.2 The notice to the Board shall include the following information:
 - A. The Court
 - B. The Jurisdiction
 - C. The case name
 - D. The case number
 - E. A description of the matter or a copy of the indictment or charges
- 1.3 Even after making the initial report described above, the certificate holder or licensee shall inform the Board of the following information within 45 days of each such occurrence:
 - A. The imposition of sentence for the felony conviction.
 - B. The completion of all terms of the sentence for the felony conviction.
- 1.4 The certificate holder or licensee notifying the Board may submit a written statement with the notice to be included in the certificate holder's or licensee's records.
- 1.5 This rule shall apply to any conviction or plea as described in paragraph 1.1 A. of this rule that occurs on or after October 1, 2008.

1.6 Failure to comply with this rule may constitute grounds for disciplinary action.

Adopted: July 30, 2008

Effective: October 1, 2008