

CHAPTER 285

LABOR AND INDUSTRY

SENATE BILL 25-186

BY SENATOR(S) Winter F. and Ball, Liston, Bridges, Cutter, Exum, Gonzales J., Jodeh, Kipp, Michaelson Jenet, Sullivan, Wallace;
also REPRESENTATIVE(S) Hamrick and Lieder, Clifford.

AN ACT

CONCERNING THE CONTINUATION OF THE WORKERS' COMPENSATION ACCREDITATION OF HEALTH-CARE PROVIDERS PROGRAM, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE 2024 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES AND MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 8-42-101, **amend** (3.5)(a)(I)(A), (3.5)(a)(I)(E), (3.5)(c)(I), and (3.6)(r)(I); **repeal** (3.5)(a)(I)(C); and **add** (3.5)(a)(I)(D.5) as follows:

8-42-101. Employer must furnish medical aid - approval of plan - fee schedule - contracting for treatment - no recovery from employee - medical treatment guidelines - accreditation of physicians and other medical providers - mental health provider qualifications - mileage reimbursement - rules - definition - repeal. (3.5) (a) (I) (A) "Physician" means, for the purposes of the level I and level II accreditation programs ONLY, a physician licensed under the "Colorado Medical Practice Act", ARTICLE 240 OF TITLE 12. ~~For the purposes of level I accreditation only and not level II accreditation, "physician" means a dentist licensed under the "Dental Practice Act", article 220 of title 12; a podiatrist licensed under article 290 of title 12; and a chiropractor licensed under article 215 of title 12.~~ A PHYSICIAN IS NOT DEEMED ACCREDITED UNDER EITHER LEVEL I OR LEVEL II SOLELY BY REASON OF BEING LICENSED.

~~(C) A physician shall not be deemed accredited under either level I or level II solely by reason of being licensed.~~

(D.5) A HEALTH-CARE PROFESSIONAL REGULATED PURSUANT TO TITLE 12 AND

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

LISTED IN THE UTILIZATION STANDARDS CREATED IN ACCORDANCE WITH SUBSECTION (3.5)(a)(II) OF THIS SECTION MAY RECEIVE LEVEL I ACCREDITATION.

(E) Nothing in this subsection (3.5)(a) grants any person other than a physician licensed under the "Colorado Medical Practice Act", ARTICLE 240 OF TITLE 12, the authority to determine that no permanent medical impairment has resulted from the injury pursuant to subsection (3.6)(b) of this section or that a claimant has attained maximum medical improvement pursuant to section 8-42-107 (8)(b)(I).

(c) (I) This subsection (3.5) is repealed, effective ~~September 1, 2025~~ SEPTEMBER 1, 2036.

(3.6) The two-tier accreditation system shall comprise the following programs:

(r) (I) This subsection (3.6) is repealed, effective ~~September 1, 2025~~ SEPTEMBER 1, 2036.

SECTION 2. In Colorado Revised Statutes, 24-34-104, **repeal** (26)(a)(II); and **add** (37) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (26) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2025:

(II) ~~The accreditation of health-care providers under the workers' compensation system in accordance with section 8-42-101 (3.5) and (3.6), C.R.S.;~~

(37) (a) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, ARE SCHEDULED FOR REPEAL ON SEPTEMBER 1, 2036:

(I) THE ACCREDITATION OF HEALTH-CARE PROVIDERS UNDER THE WORKERS' COMPENSATION SYSTEM IN ACCORDANCE WITH SECTION 8-42-101 (3.5) AND (3.6).

(b) THIS SUBSECTION (37) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2038.

SECTION 3. Appropriation. (1) For the 2025-26 state fiscal year, \$123,933 is appropriated to the department of labor and employment for use by the division of workers' compensation. This appropriation is from the workers' compensation cash fund created in section 8-44-112 (7)(a), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) \$108,545 for personal services, which amount is based on an assumption that the division will require an additional 1.6 FTE; and

(b) \$15,388 for operating expenses.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an

item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 29, 2025