

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0834.01 Christy Chase x2008

**SENATE BILL 13-215**

---

**SENATE SPONSORSHIP**

**Jahn**, Aguilar, Newell, Nicholson, Ulibarri, Crowder, Marble, Todd

**HOUSE SPONSORSHIP**

**Ginal**, Stephens

---

**Senate Committees**

Health & Human Services

**House Committees**

---

**A BILL FOR AN ACT**

101      **CONCERNING ALTERNATIVE HEALTH CARE PRACTITIONERS, AND, IN**  
102            **CONNECTION THEREWITH, ENACTING THE "COLORADO**  
103            **NATURAL HEALTH CONSUMER PROTECTION ACT" TO PROVIDE**  
104            **AN EXEMPTION FROM STATE REGULATION FOR UNLICENSED**  
105            **COMPLEMENTARY AND ALTERNATIVE HEALTH CARE**  
106            **PRACTITIONERS, REQUIRE A PERSON PROVIDING**  
107            **COMPLEMENTARY AND ALTERNATIVE HEALTH CARE SERVICES**  
108            **TO DISCLOSE TO CLIENTS THE PERSON'S EDUCATIONAL**  
109            **BACKGROUND AND THE NATURE OF THE SERVICES TO BE**  
110            **PROVIDED, AND PROHIBIT COMPLEMENTARY AND ALTERNATIVE**  
111            **HEALTH CARE PRACTITIONERS FROM ENGAGING IN SPECIFIED**  
112            **ACTIVITIES THAT ONLY STATE-REGULATED HEALTH CARE**

*Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

Existing law regulates the practice of certain health care professions, including the practice of medicine. These laws prohibit unlicensed persons from engaging in certain activities constituting, among other practice areas, the practice of medicine. Current law does not specifically address, prohibit, or permit the practices of persons who provide traditional, cultural, complementary, or alternative healing arts therapies and services.

The bill provides that a person engaging in traditional, cultural, complementary, or alternative healing arts and health care treatments who makes specified written disclosures to a client and who does not engage in specifically prohibited acts is not violating the practice acts regulating licensed, certified, or registered health care professionals. Failure to make the required disclosures to clients, or performing a prohibited act, constitutes a deceptive trade practice under the "Colorado Consumer Protection Act". Additionally, if a complementary and alternative health care practitioner engages in a prohibited act, he or she is subject to penalties for the unauthorized practice of a regulated profession.

The bill exempts from the definition of "practice of medicine" the rendering of complementary and alternative health care services if performed consistent with the requirements of the bill.

---

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 6-1-724 as  
3 follows:

4           **6-1-724. Unlicensed alternative health care practitioners -**  
5 **deceptive trade practices - short title - legislative declaration -**  
6 **definitions.** (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS  
7 THE "COLORADO NATURAL HEALTH CONSUMER PROTECTION ACT".

1 (2) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

2 (a) ACCORDING TO A JULY 2009 REPORT FROM THE NATIONAL  
3 INSTITUTE OF HEALTH'S NATIONAL CENTER FOR COMPLEMENTARY AND  
4 ALTERNATIVE MEDICINE, WHICH WAS BASED ON 2007 SURVEY DATA:

5 (I) THIRTY-EIGHT PERCENT OF AMERICANS USE COMPLEMENTARY  
6 AND ALTERNATIVE MEDICINE; AND

7 (II) AMERICANS SPENT NEARLY THIRTY-FOUR BILLION DOLLARS IN  
8 OUT-OF-POCKET COSTS IN A TWELVE-MONTH PERIOD FOR  
9 COMPLEMENTARY AND ALTERNATIVE MEDICINE;

10 (b) IT IS ESTIMATED THAT MORE THAN ONE MILLION FIVE HUNDRED  
11 THOUSAND COLORADANS CURRENTLY RECEIVE A SUBSTANTIAL VOLUME  
12 OF HEALTH CARE SERVICES FROM COMPLEMENTARY AND ALTERNATIVE  
13 HEALTH CARE PRACTITIONERS;

14 (c) THOSE STUDIES FURTHER INDICATE THAT INDIVIDUALS WHO  
15 USE COMPLEMENTARY AND ALTERNATIVE HEALTH CARE SERVICES  
16 REPRESENT A WIDE VARIETY OF AGE, ETHNIC, SOCIOECONOMIC, AND  
17 OTHER DEMOGRAPHIC CATEGORIES;

18 (d) ALTHOUGH COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
19 PRACTITIONERS ARE NOT REGULATED BY THE STATE AND ARE NOT  
20 REQUIRED TO OBTAIN A STATE-ISSUED LICENSE, CERTIFICATION, OR  
21 REGISTRATION, THE PROVISION OF ALTERNATIVE HEALTH CARE SERVICES  
22 IN SOME CIRCUMSTANCES MAY BE INTERPRETED AS THE PROVISION OF A  
23 HEALTH CARE SERVICE THAT ONLY A PROFESSIONAL WHO IS LICENSED OR  
24 OTHERWISE REGULATED BY THE STATE MAY PERFORM, THEREBY  
25 SUBJECTING COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
26 PRACTITIONERS TO POTENTIAL FINES, PENALTIES, AND RESTRICTIONS OF  
27 THEIR PRACTICES EVEN THOUGH THEIR PRACTICES DO NOT POSE AN

1 IMMINENT AND DISCERNABLE RISK OF SIGNIFICANT HARM TO PUBLIC  
2 HEALTH AND SAFETY;

3 (e) BECAUSE THE STATE RECOGNIZES AND VALUES THE FREEDOM  
4 OF CONSUMERS TO CHOOSE THEIR HEALTH CARE PROVIDERS, INCLUDING  
5 THE ABILITY TO CHOOSE A PERSON WHO IS NOT REGULATED BY THE STATE,  
6 THE INTENT OF THIS SECTION IS TO PROTECT CONSUMER CHOICE AND, IN  
7 CONSIDERATION OF THE PUBLIC'S HEALTH AND SAFETY, TO REMOVE  
8 TECHNICAL BARRIERS TO ACCESS TO UNREGULATED HEALTH CARE  
9 PRACTITIONERS AND INCLUDE APPROPRIATE CONSUMER PROTECTIONS AND  
10 DISCLOSURES AS REQUIRED IN THIS SECTION; AND

11 (f) NOTHING IN THIS SECTION:

12 (I) REQUIRES A PERSON ENGAGED IN TRADITIONAL, RELIGIOUS,  
13 CULTURAL, COMPLEMENTARY, INTEGRATIVE, OR ALTERNATIVE HEALTH  
14 CARE TO OBTAIN A LICENSE, CERTIFICATION, OR REGISTRATION FROM THE  
15 STATE AS LONG AS THE PERSON PRACTICES WITHIN THE PARAMETERS OF  
16 THIS SECTION;

17 (II) LIMITS THE PUBLIC'S RIGHT TO ACCESS TRADITIONAL,  
18 CULTURAL, COMPLEMENTARY, OR ALTERNATIVE HEALTH CARE  
19 PRACTITIONERS OR THE RIGHT OF AN UNREGULATED COMPLEMENTARY  
20 AND ALTERNATIVE HEALTH CARE PRACTITIONER TO PRACTICE.

21 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
22 REQUIRES:

23 (a) "COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
24 PRACTITIONER" MEANS A PERSON WHO PROVIDES COMPLEMENTARY AND  
25 ALTERNATIVE HEALTH CARE SERVICES IN ACCORDANCE WITH THIS SECTION  
26 AND WHO IS NOT LICENSED, CERTIFIED, OR REGISTERED BY THE STATE AS  
27 A HEALTH CARE PROFESSIONAL.

1 (b) (I) "COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
2 SERVICES" MEANS ADVICE AND   SERVICES:

3 (A) WITHIN THE BROAD DOMAIN OF HEALTH CARE AND HEALING  
4 ARTS THERAPIES AND METHODS THAT ARE BASED ON COMPLEMENTARY  
5 AND ALTERNATIVE THEORIES OF HEALTH AND WELLNESS; AND

6 (B) THAT ARE NOT PROHIBITED BY SUBSECTION (6) OF THIS  
7 SECTION.

8 (II) "COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
9 SERVICES" INCLUDE:

10 (A) HEALING PRACTICES USING FOOD; FOOD EXTRACTS;    
11 DIETARY SUPPLEMENTS, AS DEFINED IN THE FEDERAL "DIETARY  
12 SUPPLEMENT HEALTH AND EDUCATION ACT OF 1994", PUB.L. 103-417;  
13 NUTRIENTS; HOMEOPATHIC REMEDIES AND PREPARATIONS; AND THE  
14 PHYSICAL FORCES OF HEAT, COLD, WATER, TOUCH, SOUND, AND LIGHT;

15 (B) STRESS REDUCTION HEALING PRACTICES; AND

16 (C) MIND-BODY AND ENERGETIC HEALING PRACTICES.

17 (c) "HEALTH CARE PROFESSIONAL" MEANS A PERSON ENGAGED IN  
18 A HEALTH CARE PROFESSION FOR WHICH THE STATE REQUIRES THE PERSON  
19 TO OBTAIN A LICENSE, CERTIFICATION, OR REGISTRATION UNDER TITLE 12,  
20 C.R.S., IN ORDER TO ENGAGE IN THE HEALTH CARE PROFESSION.

21 (4) THIS SECTION APPLIES TO ANY PERSON WHO IS NOT LICENSED,  
22 CERTIFIED, OR REGISTERED BY THE STATE AS A HEALTH CARE  
23 PROFESSIONAL AND WHO IS PRACTICING COMPLEMENTARY AND  
24 ALTERNATIVE HEALTH CARE SERVICES.

25 (5) (a) A PERSON WHO IS NOT LICENSED, CERTIFIED, OR  
26 REGISTERED BY THE STATE AS A HEALTH CARE PROFESSIONAL AND WHO IS  
27 PRACTICING COMPLEMENTARY AND ALTERNATIVE HEALTH CARE SERVICES

1 CONSISTENT WITH THIS SECTION DOES NOT VIOLATE ANY STATUTE  
2 RELATING TO A HEALTH CARE PROFESSION OR PROFESSIONAL PRACTICE  
3 ACT UNLESS THE PERSON:

4 (I) ENGAGES IN AN ACTIVITY PROHIBITED IN SUBSECTION (6) OF  
5 THIS SECTION; OR

6 (II) FAILS TO FULFILL THE DISCLOSURE DUTIES SPECIFIED IN  
7 SUBSECTION (7) OF THIS SECTION.

8 (b) A PERSON WHO ENGAGES IN AN ACTIVITY PROHIBITED BY  
9 SUBSECTION (6) OF THIS SECTION IS SUBJECT TO THE ENFORCEMENT  
10 PROVISIONS, CIVIL PENALTIES, AND DAMAGES SPECIFIED IN PART 1 OF THIS  
11 ARTICLE, IS NO LONGER EXEMPT FROM LAWS REGULATING THE PRACTICE  
12 OF HEALTH CARE PROFESSIONALS UNDER TITLE 12, C.R.S., AND MAY BE  
13 SUBJECT TO PENALTIES FOR UNAUTHORIZED PRACTICE OF A  
14 STATE-REGULATED HEALTH CARE PROFESSION.

15 (c) A PERSON WHO FAILS TO COMPLY WITH SUBSECTION (7) OF THIS  
16 SECTION IS SUBJECT TO THE ENFORCEMENT PROVISIONS, CIVIL PENALTIES,  
17 AND DAMAGES SPECIFIED IN PART 1 OF THIS ARTICLE.

18 (6) A COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
19 PRACTITIONER PROVIDING COMPLEMENTARY AND ALTERNATIVE HEALTH  
20 CARE SERVICES UNDER THIS SECTION WHO IS NOT LICENSED, CERTIFIED, OR  
21 REGISTERED BY THE STATE SHALL NOT:

22 (a) PERFORM SURGERY OR ANY INVASIVE PROCEDURE REQUIRING  
23 ENTRY INTO THE BODY THROUGH SKIN, PUNCTURE, MUCOSA, INCISION, OR  
24 OTHER INTRUSIVE METHOD, EXCEPT AS PERMITTED UNDER PARAGRAPH (g)  
25 OF THIS SUBSECTION (6);

26 (b) ADMINISTER OR PRESCRIBE X RAY RADIATION TO ANOTHER  
27 PERSON;

1           (c) PRESCRIBE, ADMINISTER, INJECT, OR DISPENSE A PRESCRIPTION  
2           OR LEGEND DRUG OR A CONTROLLED SUBSTANCE OR DEVICE IDENTIFIED IN  
3           THE FEDERAL "CONTROLLED SUBSTANCES ACT", 21 U.S.C. SEC. 801 ET  
4           SEQ., AS AMENDED;

5           (d) USE GENERAL OR SPINAL ANESTHETICS, OTHER THAN TOPICAL  
6           ANESTHETICS;

7           (e) ADMINISTER IONIZING RADIOACTIVE SUBSTANCES FOR  
8           THERAPEUTIC PURPOSES;

9           (f) USE A LASER DEVICE THAT PUNCTURES THE SKIN, INCISES THE  
10          BODY, OR IS OTHERWISE USED AS AN INVASIVE INSTRUMENT. IF A  
11          COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER USES  
12          ALASER DEVICE AS A NONINVASIVE INSTRUMENT, THE LASER DEVICE MUST  
13          BE APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR  
14          OVER-THE-COUNTER USE.

15          (g) PERFORM ENEMAS OR COLONIC IRRIGATION UNLESS THE  
16          COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER:

17           (I) MAINTAINS BOARD CERTIFICATION THROUGH THE  
18           INTERNATIONAL ASSOCIATION OF COLON HYDROTHERAPY OR THE  
19           NATIONAL BOARD FOR COLON HYDROTHERAPY OR THEIR SUCCESSOR  
20           ENTITIES;

21           (II) DISCLOSES THAT HE OR SHE IS NOT A PHYSICIAN LICENSED  
22           PURSUANT TO ARTICLE 36 OF TITLE 12, C.R.S.; AND

23           (III) RECOMMENDS THAT THE CLIENT HAVE A RELATIONSHIP WITH  
24           A LICENSED PHYSICIAN;

25           (h) DIRECTLY ADMINISTER MEDICAL PROTOCOLS TO A PREGNANT  
26           WOMAN OR TO A CLIENT WHO HAS CANCER;

27           (i) TREAT A CHILD UNDER TWO YEARS OF AGE UNLESS THE

1 COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER:

2 (I) OBTAINS THE INFORMED CONSENT OF THE CHILD'S PARENT OR  
3 LEGAL GUARDIAN;

4 (II) DISCLOSES THAT HE OR SHE IS NOT A PHYSICIAN LICENSED  
5 PURSUANT TO ARTICLE 36 OF TITLE 12, C.R.S.; AND

6 (III) RECOMMENDS THAT THE CHILD HAVE A RELATIONSHIP WITH  
7 A LICENSED PHYSICIAN WHO IS A BOARD-CERTIFIED PEDIATRICIAN;

8 (j) PROVIDE DENTAL PROCEDURES OR INTERVENTIONS THAT  
9 CONSTITUTE THE PRACTICE OF DENTISTRY, AS DEFINED IN ARTICLE 35 OF  
10 TITLE 12, C.R.S.;

11 (k) PERFORM A CHIROPRACTIC ADJUSTMENT OF THE  
12 ARTICULATIONS OF JOINTS OR THE SPINE OF ANOTHER PERSON;

13 (l) SET FRACTURES;

14 (m) PRACTICE OR REPRESENT THAT HE OR SHE IS PRACTICING  
15 MASSAGE THERAPY, WHICH, FOR PURPOSES OF THIS SECTION:

16 (I) INCLUDES PRACTICES WHERE THE PRIMARY PURPOSE IS TO  
17 PROVIDE DEEP STROKING MUSCLE TISSUE MASSAGE OF THE HUMAN BODY;

18 AND

19 (II) EXCLUDES:

20 (A) STROKING OF THE HANDS, FEET, OR EARS; OR

21 (B) THE USE OF TOUCH, WORDS, AND DIRECTED MOVEMENT OF A  
22 HEALING ART WITHIN THE BODYWORK COMMUNITY, INCLUDING HEALING  
23 TOUCH, MIND-BODY CENTERING, ORTHOBIONOMY, REFLEXOLOGY,  
24 ROLFING, REIKI, QIGONG, AND PRACTICES WITH THE PRIMARY PURPOSE OF  
25 AFFECTING ENERGY SYSTEMS OF THE HUMAN BODY;

26 (n) PROVIDE A CONVENTIONAL MEDICAL DISEASE DIAGNOSIS TO A  
27 CLIENT;



1           (o) RECOMMEND THE DISCONTINUATION OF A COURSE OF CARE,  
2           INCLUDING A PRESCRIPTION DRUG, THAT WAS RECOMMENDED OR  
3           PRESCRIBED BY ANOTHER HEALTH CARE PROFESSIONAL; OR

4           (p) HOLD ONESELF OUT AS, STATE, INDICATE, ADVERTISE, OR  
5           IMPLY TO A CLIENT OR PROSPECTIVE CLIENT THAT HE OR SHE IS A  
6           PHYSICIAN, SURGEON, OR BOTH, OR THAT HE OR SHE IS A HEALTH CARE  
7           PROFESSIONAL WHO IS LICENSED, CERTIFIED, OR REGISTERED BY THE  
8           STATE.

9           (7) (a) ANY PERSON PROVIDING COMPLEMENTARY AND  
10          ALTERNATIVE HEALTH CARE SERVICES IN THIS STATE WHO IS NOT  
11          LICENSED, CERTIFIED, OR REGISTERED BY THE STATE AS A HEALTH CARE  
12          PROFESSIONAL, IS NOT REGULATED BY A PROFESSIONAL BOARD OR THE  
13          DIVISION OF PROFESSIONS AND OCCUPATIONS IN THE DEPARTMENT OF  
14          REGULATORY AGENCIES PURSUANT TO TITLE 12, C.R.S., AND IS  
15          ADVERTISING OR CHARGING A FEE FOR HEALTH CARE SERVICES SHALL  
16          PROVIDE TO EACH CLIENT DURING THE INITIAL CLIENT CONTACT THE  
17          FOLLOWING INFORMATION IN A PLAINLY WORDED WRITTEN STATEMENT:

18               (I) THE COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
19               PRACTITIONER'S NAME, BUSINESS ADDRESS, TELEPHONE NUMBER, AND ANY  
20               OTHER CONTACT INFORMATION FOR THE PRACTITIONER;

21               (II) THE FACT THAT THE COMPLEMENTARY AND ALTERNATIVE  
22               HEALTH CARE PRACTITIONER IS NOT LICENSED, CERTIFIED, OR REGISTERED  
23               BY THE STATE AS A HEALTH CARE PROFESSIONAL;

24               (III) THE NATURE OF THE COMPLEMENTARY AND ALTERNATIVE  
25               HEALTH CARE SERVICES TO BE PROVIDED;

26               (IV) A LISTING OF ANY DEGREES, TRAINING, EXPERIENCE,  
27               CREDENTIALS, OR OTHER QUALIFICATIONS THE PERSON HOLDS REGARDING

1 THE COMPLEMENTARY AND ALTERNATIVE HEALTH CARE SERVICES HE OR  
2 SHE PROVIDES; ==

3 (V) A STATEMENT THAT THE CLIENT SHOULD DISCUSS ANY  
4 RECOMMENDATIONS MADE BY THE COMPLEMENTARY AND ALTERNATIVE  
5 HEALTH CARE PRACTITIONER WITH THE CLIENT'S PRIMARY CARE  
6 PHYSICIAN, OBSTETRICIAN, GYNECOLOGIST, ONCOLOGIST, CARDIOLOGIST,  
7 PEDIATRICIAN, OR OTHER BOARD-CERTIFIED PHYSICIAN; AND

8 (VI) A STATEMENT INDICATING WHETHER OR NOT THE  
9 COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER IS  
10 COVERED BY LIABILITY INSURANCE APPLICABLE TO ANY INJURY CAUSED  
11 BY AN ACT OR OMISSION OF THE COMPLEMENTARY AND ALTERNATIVE  
12 HEALTH CARE PRACTITIONER IN PROVIDING COMPLEMENTARY AND  
13 ALTERNATIVE HEALTH CARE SERVICES PURSUANT TO THIS SECTION.

14 (b) BEFORE A COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
15 PRACTITIONER PROVIDES COMPLEMENTARY AND ALTERNATIVE HEALTH  
16 CARE SERVICES FOR THE FIRST TIME TO A CLIENT, THE COMPLEMENTARY  
17 AND ALTERNATIVE HEALTH CARE PRACTITIONER SHALL OBTAIN A  
18 WRITTEN, SIGNED ACKNOWLEDGMENT FROM THE CLIENT STATING THAT  
19 THE CLIENT HAS RECEIVED THE INFORMATION DESCRIBED IN PARAGRAPH  
20 (a) OF THIS SUBSECTION (7). THE COMPLEMENTARY AND ALTERNATIVE  
21 HEALTH CARE PRACTITIONER SHALL GIVE A COPY OF THE  
22 ACKNOWLEDGMENT TO THE CLIENT AND SHALL RETAIN THE ORIGINAL OR  
23 A COPY OF THE ACKNOWLEDGMENT FOR AT LEAST TWO YEARS AFTER THE  
24 LAST DATE OF SERVICE.

25 ==

26 (c) A COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
27 PRACTITIONER SHALL NOT REPRESENT IN ANY ADVERTISEMENT FOR

1 COMPLEMENTARY AND ALTERNATIVE HEALTH CARE SERVICES THAT THE  
2 COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER IS  
3 LICENSED, CERTIFIED, OR REGISTERED BY THE STATE AS A HEALTH CARE  
4 PROFESSIONAL.

5 (8) THE FOLLOWING PERSONS SHALL NOT PROVIDE  
6 COMPLEMENTARY AND ALTERNATIVE HEALTH CARE SERVICES PURSUANT  
7 TO THIS SECTION:

8 (a) A HEALTH CARE PROFESSIONAL WHOSE STATE-ISSUED LICENSE,  
9 CERTIFICATION, OR REGISTRATION HAS BEEN REVOKED OR SUSPENDED BY  
10 THE STATE AND HAS NOT BEEN REINSTATED;

11 (b) A PERSON WHO HAS BEEN CONVICTED OF A FELONY FOR A  
12 CRIME AGAINST A PERSON OR A FELONY RELATED TO HEALTH CARE AND  
13 WHO HAS NOT SATISFIED THE TERMS OF THE SENTENCE IMPOSED FOR THE  
14 CRIME. AS USED IN THIS PARAGRAPH (b), "CONVICTED" INCLUDES  
15 ENTERING A PLEA OF GUILTY OR NOLO CONTENDERE OR THE IMPOSITION OF  
16 A DEFERRED SENTENCE.

17 (c) A PERSON WHO HAS BEEN DEEMED MENTALLY INCOMPETENT  
18 BY A COURT OF LAW.

19 (9) (a) A COMPLEMENTARY AND ALTERNATIVE HEALTH CARE  
20 PRACTITIONER WHO RENDERS COMPLEMENTARY AND ALTERNATIVE  
21 HEALTH CARE SERVICES CONSISTENT WITH THIS SECTION IS NOT ENGAGING  
22 IN THE PRACTICE OF MEDICINE, AS DEFINED IN ARTICLE 36 OF TITLE 12,  
23 C.R.S., AND IS NOT VIOLATING THE "COLORADO MEDICAL PRACTICE  
24 ACT", ARTICLE 36 OF TITLE 12, C.R.S., AS LONG AS THE COMPLEMENTARY  
25 AND ALTERNATIVE HEALTH CARE PRACTITIONER DOES NOT ENGAGE IN AN  
26 ACT PROHIBITED IN SUBSECTION (6) OF THIS SECTION.

27 (b) NOTHING OTHERWISE AUTHORIZES A COMPLEMENTARY AND

1 ALTERNATIVE HEALTH CARE PRACTITIONER PRACTICING WITHIN THE SCOPE  
2 OF PRACTICE IN THIS SECTION TO ENGAGE IN THE PRACTICE OF MEDICINE.

3 (10) THIS SECTION DOES NOT APPLY TO OR PROHIBIT:

4 (a) ANY LICENSED, CERTIFIED, OR REGISTERED HEALTH CARE  
5 PROFESSIONAL FROM PRACTICING HIS OR HER REGULATED PROFESSION;

6 (b) THE PRACTICE OF HEALTH CARE SERVICES THAT ARE EXEMPT  
7 FROM STATE REGULATION OR THE PROVISION OF HEALTH CARE SERVICES  
8 BY A PERSON WHO IS EXEMPT FROM STATE REGULATION; OR

9 (c) A PERSON FROM SELLING DIETARY SUPPLEMENTS AS  
10 STIPULATED UNDER THE FEDERAL "DIETARY SUPPLEMENT HEALTH AND  
11 EDUCATION ACT OF 1994", PUB.L. 103-417, OR OTHER NATURAL HEALTH  
12 CARE PRODUCTS OR ADVISING, EDUCATING, OR COUNSELING ABOUT THE  
13 STRUCTURE AND FUNCTION OF THE HUMAN BODY AND THE USE OF  
14 NATURAL HEALTH CARE PRODUCTS TO SUPPORT HEALTH AND WELLNESS.

15 (11) THIS SECTION DOES NOT LIMIT THE RIGHT OF ANY PERSON TO  
16 SEEK RELIEF UNDER THIS ARTICLE OR ANY OTHER AVAILABLE CIVIL OR  
17 COMMON LAW REMEDY FOR DAMAGES RESULTING FROM THE NEGLIGENCE  
18 OF A PERSON PROVIDING COMPLEMENTARY AND ALTERNATIVE HEALTH  
19 CARE SERVICES.

20 (12) NOTHING IN THIS SECTION RELIEVES A LICENSED, CERTIFIED,  
21 OR REGISTERED HEALTH CARE PROFESSIONAL FROM LIABILITY ARISING  
22 FROM ANY INJURY CAUSED BY THE HEALTH CARE PROFESSIONAL IN THE  
23 COURSE OF PROVIDING COMPLEMENTARY OR ALTERNATIVE HEALTH CARE  
24 SERVICES.

25 (13) A VIOLATION OF THIS SECTION CONSTITUTES A DECEPTIVE  
26 TRADE PRACTICE UNDER THIS ARTICLE.

27 **SECTION 2.** In Colorado Revised Statutes, 6-1-105, **amend** (1)

1 introductory portion; and **add** (1) (ddd) as follows:

2 **6-1-105. Deceptive trade practices.** (1) A person engages in a  
3 deceptive trade practice when, in the course of ~~such~~ THE person's  
4 business, vocation, or occupation, ~~such~~ THE person:

5 (ddd) VIOLATES SECTION 6-1-724.

6 **SECTION 3.** In Colorado Revised Statutes, 12-36-106, **add** (3)  
7 (z) as follows:

8 **12-36-106. Practice of medicine defined - exemptions from**  
9 **licensing requirements - unauthorized practice by physician**  
10 **assistants and anesthesiologist assistants - penalties - rules.** (3) A  
11 person may engage in, and is not required to obtain a license or a  
12 physician training license under this article with respect to, any of the  
13 following acts:

14 (z) RENDERING COMPLEMENTARY AND ALTERNATIVE HEALTH  
15 CARE SERVICES CONSISTENT WITH SECTION 6-1-724, C.R.S.

16 **SECTION 4. Safety clause.** The general assembly hereby finds,  
17 determines, and declares that this act is necessary for the immediate  
18 preservation of the public peace, health, and safety.