

## DEPARTMENT OF REGULATORY AGENCIES

### Colorado Medical Board

#### **RULE 120 - DEMONSTRATION OF CONTINUED COMPETENCY BY PHYSICIAN APPLICANTS FOR LICENSURE, REINSTATEMENT OR REACTIVATION OF A LICENSE**

##### **3 CCR 713-22**

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

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### **22.1 INTRODUCTION**

- A. Basis: The authority for promulgation of these rules and regulations by the Colorado Medical Board ("Board") is set forth in sections 12-20-204(1), 12-240-106(1)(a), 12-240-119, 12-240-120(1)(d), 12-20-202(2)(c)(II), and 12-240-141(5), C.R.S.
- B. Purpose: The purpose of these rules and regulations is to set forth the process by which a physician may demonstrate continued competency for the purpose of complying with the statutory sections referenced above to obtain a Colorado medical license, or reinstatement or reactivation of an existing license. These rules apply only to those physicians applying for: licensure or the reactivation or reinstatement of a license who have not established that they have actively practiced medicine for the two year period immediately preceding the filing of the application (hereinafter: "applicant(s)").

### **22.2 RULES AND REGULATIONS**

- A. If the applicant has practiced medicine only for a portion of the two year period immediately preceding the filing of the application, the Board may determine on a case by case basis in its discretion whether the applicant has adequately demonstrated continued competency to practice medicine.
- B. Otherwise, to demonstrate continued competency for purposes of complying with section 12-240-120(1)(d), 12-240-119, 12-20-202(2)(c)(II), or 12-240-141(5), C.R.S., the Board will require an applicant to submit to any competency assessment(s) or evaluation(s) conducted by a program approved by the Board. Although the Board retains the discretion as to the method of determining continued competency based on the applicant's specific circumstances, a competency assessment or evaluation conducted by a Board-approved program is the Board's standard operating procedure.
- C. If the Board determines that the applicant requires a period of supervised practice and/or the completion of an educational program (hereinafter "training requirements"), the Board at its discretion may either issue the applicant a license subject to probationary terms or a reentry license.
- D. **REENTRY LICENSE**: The Board will consider an applicant to be ineligible for a reentry license if their period of inactive practice resulted from disciplinary action or unprofessional conduct. If a reentry license is issued, such a license is valid only for three years from the date of issue and is not renewable. Failure to complete the training requirements before the end of the three year period will result in the reentry license being administratively inactivated.
- E. **CONVERSION OF REENTRY LICENSE**: When an applicant has timely and successfully completed the training requirements, the applicant shall apply to the Licensing Panel of the Board

to convert the reentry license to full licensure by submitting a letter to the Licensing Panel with documents that clearly establish timely and successful completion of the training requirements. If the Board determines that the applicant is competent and qualified to practice medicine without supervision, the Board will convert the reentry license to a full license to practice medicine. If the Board determines that the applicant is not competent nor qualified to practice medicine without supervision, the Board may require further assessment, training, or period of supervised practice in its discretion.

- F. All expenses resulting from the assessment and/or any training requirements are the responsibility of the applicant and not of the Board.

Effective 12/1/95, Revised 8/15/02, Effective 10/30/02, Revised 2/13/03, Effective 4/30/03, Revised 4/14/05, Effective 6/30/05; Revised 2/9/06; Effective 3/31/06; Revised 8/19/10; Effective 10/15/10; Revised 11/17/2011; Effective 1/14/2012

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#### **Editor's Notes**

#### **History**

Entire rule eff. 10/15/2010.

Entire rule eff. 01/14/2012.