



**Dora**  
Department of Regulatory Agencies

**Department of Regulatory Agencies  
(DORA)  
Departmental Regulatory Agenda  
November 1, 2013**





**Executive Director's Office**

Barbara J. Kelley  
Executive Director

John W. Hickenlooper  
Governor

November 1, 2013

Members of the Colorado General Assembly  
c/o the Staff of the Legislative Council  
State Capitol Building  
200 East Colfax  
Denver, Colorado 80203

Dear Members of the General Assembly:

This Departmental Regulatory Agenda is submitted on behalf of the Department of Regulatory Agencies (DORA) in compliance with Section 2-7-203, Colorado Revised Statutes, as amended by HB 12-1008, which states in part, and requires for the 2014 calendar year:

- A list of new rules or revisions to existing rules that the Department expects to propose in the next calendar year;
- The Statutory or other basis for adoption of the proposed rules;
- The purpose of the proposed rules; and
- The contemplated schedule for adoption of the rules; and
- An identification and listing of persons or parties that may be affected positively or negatively by the rules.

All DORA Divisions have carefully assessed their available resources and what can reasonably be accomplished during this twelve (12) month period. Given the discrete statutory mandates and functions of the various divisions within DORA, the Departmental Regulatory Agenda is presented according to Division. The Agenda lists regulations that are expected to be under development or considered for revision during the calendar year 2014, and provides a brief description of each rule, its purpose and legal basis, as well as an approximate schedule, in compliance with all aforementioned requirements of HB 12-1008. In preparing this information, DORA notes that while "Consumers" are not specifically listed as persons or parties affected positively or negatively by each individual rule listed, the consumer population is certainly recognized as affected for all that is presented, particularly given the Department's mission of consumer protection.

Information pertaining to a specific rule can be obtained through the Public Information Officer (PIO) for the respective Division. The PIO contact information may be obtained from the respective Division's website.

I am pleased to submit the Departmental Regulatory Agenda on behalf of DORA. The Agenda will also be posted to the DORA web-site and submitted to the Secretary of State for publication in the Colorado Register. The Department will also discuss its Regulatory Agenda with our joint Committees of Reference during its hearing.

Sincerely,

A handwritten signature in cursive script, reading "Barbara J. Kelley", is displayed on a light-colored rectangular background.

Barbara J. Kelley  
Executive Director

cc: Secretary of State's Office



## Regulatory Agenda 2014 - Banking

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)
<b>Division of Banking</b>					
Banking	CB 101.64 - Modify Lending Limits (Emergency)	11-105-303, C.R.S.	Conform and comply with Dodd-Frank, Section 611, requiring states to consider derivatives exposure in legal lending limits.	Spring 2014	State chartered banks and commercial borrowers intending to engage in such transactions
Banking and Money Transmitter	Division and Money Transmitter program subject to Sunset Review and additional Dodd-Frank requirements	12-52-101 through 12-52-206, C.R.S.	Amend rules to remove language regarding Interagency Guidance on Nontraditional Mortgage Products.	Summer 2014	State chartered banks
Banking	Programs subject to additional/final Dodd-Frank requirements	11-101-101 through 11-109-907, C.R.S.	Revise Division rules when comparable federal rules are promulgated by the federal bank regulators, pursuant to the Dodd-Frank Act.	Summer 2014	State chartered banks, money transmitters, trust departments and trust companies
Banking	List of Approved Eligible Collateral Instruments and Obligations	11-10.5-107(1), C.R.S.	Amend rules to address minimum capital requirements and risk-based capital to conform to the federal banking agencies.	Fall 2014	State and Nationally chartered banks

**Regulatory Agenda 2014 – Civil Rights**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)
<b>Division of Civil Rights</b>					
Civil Rights	3 CCR 708-1, Rules 10 and 20	24-34-306, C.R.S.	Clarify procedure for filing and enforcement of discrimination charges.	Summer 2014	Housing Providers, Employers, Places of Public Accommodation
Civil Rights	3 CCR 708-1, Rules 30-80	24-34-401 to 24-34-707, C.R.S.	Update rules relating to protected class, to align with current law.	Summer 2014	Housing Providers, Employers, and Places of Public Accommodation.
Civil Rights	3 CCR 708-1, Rule 90	24-34-401 to 406, C.R.S.	Repeal obsolete rules regarding uniform employment testing.	Summer 2014	Housing Providers, Employers, and Places of Public Accommodation.

**Regulatory Agenda 2014 – Professions & Occupations**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>
<b>Division of Professions &amp; Occupations</b>					
Surgical Assistants/Technologist Registration Program	New rules concerning LOAs and LOCs	Requested statute change	Consistency with other programs, fair discipline	Fall 2014	Registered Surgical Assistants/Technologists
Naturopathic Doctor Registration Program	New rule regarding the general administration of the practice act	12-37.3-104(1)(a) C.R.S.	Statute requires adoption of a rule regarding the general administration of the practice act	Spring 2014	Naturopathic Doctors
Naturopathic Doctor Registration Program	New rule regarding the form and manner of submitting an application	12-37.3-106(2) C.R.S.	Statute requires adoption of a rule regarding the form and manner of submitting an application	Spring 2014	Naturopathic Doctors
Naturopathic Doctor Registration Program	New rule regarding approved licensing exams	12-37.3-106(2)(d) C.R.S.	Statute requires adoption of a rule regarding approved licensing exams	Spring 2014	Naturopathic Doctors
Naturopathic Doctor Registration Program	New rule regarding continued competency	12-37.3-108(1)(b) C.R.S.	Statute requires adoption of a rule regarding continued competency	Winter 2014	Naturopathic Doctors
Naturopathic Doctor Registration Program	New rule regarding activation and inactivation of registrations	12-37.3-118 C.R.S.	Statute requires adoption of a rule regarding the activation and inactivation of registrations	Spring 2014	Naturopathic Doctors
Naturopathic Doctor Registration Program	New rule regarding the definition of natural health care and services	12-37.3-102(9) C.R.S.	To clarify the definition of natural health care and services	Spring 2014	Naturopathic Doctors, Physicians, Nursing, Naturopaths, other healthcare providers
Naturopathic Doctor Registration Program	New rule regarding mandatory disclosures when caring for a child	12-37.3-105(2)(f) C.R.S.	To clarify mandatory disclosures when caring for a child	Spring 2014	Naturopathic Doctors

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Naturopathic Doctor Registration Program	New rule regarding informed consent requirements	12-37.3-105(3)(b) C.R.S.	To clarify informed consent requirements	Spring 2014	Naturopathic Doctors
Naturopathic Doctor Registration Program	New rule regarding title protection	12-37.3-110(2) C.R.S.	To clarify title protection of Naturopathic Doctors	Spring 2014	Naturopathic Doctors
Pharmacy Board	Amend Rule 3.00.00 regarding dispensing	12-42.5-101, 12-42.5-105, 12-42.5-106, CRS	To allow "first dose" dispensing from long-term care facility chart orders by retail pharmacies for patients residing in long-term care facilities	Fall 2014	Consumers, pharmacies, and long-term care facilities
Pharmacy Board	Amend Rule 5.00.00 regarding outlets	12-42.5-101, 12-42.5-105, 12-42.5-106, CRS	To allow pharmacies owned and operated by health maintenance organizations (HMOs) as defined in 10-16-102, CRS to maintain drug stocks in automated dispensing machines located within the same building of the HMO	Fall 2014	Consumers and pharmacies
Pharmacy Board	Amend Rule 14.00.00 regarding other outlets	12-42.5-101, 12-42.5-105, 12-42.5-106, CRS	To allow other outlets to dispense prescriptions from orders maintained in electronic patient charts under certain conditions	Fall 2014	Consumers and other outlets
Pharmacy Board	Amend Rule 20.00.00 regarding central prescription processing	12-42.5-101, 12-42.5-105, 12-42.5-106, CRS	Amend rules dictating central prescription processing to concur with practice changes as well as those adopted by the National Association of Boards of Pharmacy	Fall 2014	Consumers and pharmacies

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Pharmacy Board	Amend Rule 21.00.00 regarding compounding	12-42.5-101, 12-42.5-105, 12-42.5-106, CRS	Amend compounding rules from input provided by the Pharmacy-Board initiated "Compounding Task Force" in regards to addressing consumers safety and to concur with practice changes	Fall 2014	Consumers and pharmacies
Electrical Board	Adopt National Electrical Code (NEC) 2014	12-23-104(a)	Statute requires adoption of NEC. Consistency with plumbing board rules.	Spring 2014	Consumers, jurisdictional authorities, licensed electricians, registered electrical contractors, and registered apprentices.
Colorado Medical Board	Amend existing Rule 140 (3 CCR 713-33)	24-4-103, 12-36-104(1)(a), C.R.S.	Update rule to comport with legislation that regulates distinguished foreign teaching physicians	Spring 2014	Distinguished Foreign Teaching Physicians and the academic staff at the University of Colorado School of Medicine.
State Board of Nursing	New and rule revision Chapter 13 concerning delegation of nursing tasks	22-1-119.5, 12-38-132 C.R.S.	To fully implement statute concerning use of Epinephrine Auto-Injectors in Emergency Situations in School Settings	Summer 2014	Consumers, nurse licensees, school staff
State Board of Nursing	Rule revision -Miscellaneous Nursing Rules	12-38-108 C.R.S. and state mandate of rule review on five year cycle	In furtherance of agency review of all rules	Fall 2014	Consumers, nurse licensees and applicants
State Board of Nursing	Rule revision Chapter 2 Approval of Education Programs	12-38-108(1)(a)(j) and 12-38-116 C.R.S.	To add, clarify current definitions or otherwise further implement statute	Summer 2014	Consumers, nurse licensees, applicants, and training programs



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State Board of Nursing	Rule revision Chapter 11 Approval of Nurse Aide Training Programs	12-38.1-103(3) & 12-38.1-108 C.R.S.	To add, clarify current definition, otherwise further implement statute; and to standardize common terminology among nurse practice acts	Summer 2014	Consumers, nurse licensees, applicants, and training programs
Office of Athletic Trainer Registration	Rule revision -Miscellaneous Athletic Trainer Rules	12-29.7-101 et seq. C.R.S. and state mandate of rule review on five year cycle	In furtherance of agency review of all rules	Fall 2014	Consumers, athletic trainer registrants and applicants
Speech-Language Pathology Certification	New rule regarding continued competency	12-43.7-107(1)(b), C.R.S.	Statute requires adoption of a rule regarding continued competency	Winter 2014	Speech-Language Pathologists
State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	Revise rules in accordance with any changes in sunset legislation	12-25-107(a) and (b),12-25-207(a),12-25-307(a) , C.R.S.	Revise rules in accordance with any changes in sunset legislation regarding address changes, responsible control, malpractice reporting, seal attributes, and duplicate wording.	Spring 2014	Consumers, professional engineers, engineer interns, professional land surveyors, land surveyor interns, and architects
State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	Consider Revising Board Rule 5.1 regarding Electronic Signatures	Board Rule 5.1	Address due to licensee questions that may result in clarification in rule	Spring 2014	Consumers, professional engineers, engineer interns, professional land surveyors, land surveyor interns, and architects
State Board of Licensure for Architects Professional Engineers	New Rule 4.8.2.1 (d) re adoption of ARE™	12-25-314(2)(a), C.R.S.	Adopt the ARE as the exam for ARCs as noted in statute	Spring 2014	Consumers, architects

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State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors	New Rule within Board Rule 4.4	12-25-114, 12-25-214, and 12-25-314, C.R.S.	Consideration of US Residence/Experience requirements for licensure	Spring 2014	Consumers, professional engineers, engineer interns, professional land surveyors, land surveyor interns, and architects
Office of Massage Therapy Registration	Add Rule 10 - Licensure Requirements: Credit for Military Experience	12-35.5-117 and 24-34-102(8.5) , C.R.S.	Outline conditions and procedures for the Director's evaluation of applicants' military experience and training.	Summer 2014	Consumers and massage therapist applicants who want the Director to consider military experience, training, or education.
Office of Massage Therapy Registration	Addition of any rules required to implement the 2013 massage therapy Sunset legislation	12-35.5-117, C.R.S.	To implement the 2013 massage therapy Sunset legislation regarding out-of-state schools	Summer 2014	Consumers, registered massage therapists, and massage therapist applicants
Colorado Board of Chiropractic Examiners	Consider revising Rule 20 Termination of Practice upon Suspension, Relinquishment or Revocation	12-33-107(1)(a), C.R.S.	To address what to do if a chiropractor closes a practice or passes away	Summer 2014	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Consider revising Rule 13 Advertisement of Free or Discounted Services	12-33-107(1)(a), C.R.S. and 12-33-117(3)(a), C.R.S.	To address pre-pay contracts vs. contracts in general-when patients should be released from these agreements	Summer 2014	Consumers, licensed chiropractors
Colorado Board of Chiropractic Examiners	Consider revising Rule 6 Patient Assessment and Electrotherapy/Physical Remedial Measures	12-33-107(1)(a), C.R.S. and 12-33-102(1) and (3), C.R.S.	Clarification on authority requirements for physiotherapy vs. electrotherapy	Summer 2014	Consumers, licensed chiropractors

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Colorado Board of Chiropractic Examiners	Consider revising Rule 8 Continuing Education	12-33-116, C.R.S.	Consider requiring certain continuing education hours be completed through specific organizations, and consider adding a requirement for a certain amount of CE hours to include a course in regulatory education	Summer 2014	Consumers, licensed chiropractors, continuing education providers
Colorado Board of Chiropractic Examiners	Consider revising Rule 7 Scope of Practice and/or possible addition of a new rule	12-33-107(1)(a), C.R.S.	Consider revisions to current Rule 7 and/or addition of a new rule to further clarify/limit the scope of practice for chiropractors.	Fall 2014	Consumers, licensed chiropractors
Office of Occupation Therapy Licensure	Implementation of 2013 Sunset legislation including the licensure of occupational therapists and occupational therapy assistants	12-40.5-12, CRS	Implementation of 2013 occupational therapy legislation regarding licensure, OTAs, and continued competency.	Spring 2014	Consumers, occupational therapists, occupational therapy assistants, schools, applicants
Board of Licensed Professional Counselor Examiners	Consider revision of Rule 14 regarding licensure requirements.	12-43-203(3)(a), CRS	Maintain equivalent standards to other professional counselor licenses within the country	Summer 2014	Consumers, licensees, schools and applicants
Board of Licensed Professional Counselor Examiners	Implementation of auricular acudetox bill.	12-43-203(3)(a), CRS	Establish standards for LPCs to provide auricular acudetox services.	Summer 2014	Consumers, licensees
Board of Psychologist Examiners	Implementation of auricular acudetox bill.	12-43-203(3)(a), CRS	Establish standards for psychologists to provide auricular acudetox services.	Summer 2014	Consumers, licensees
Board of Social Work Examiners	Implementation of auricular acudetox bill.	12-43-203(3)(a), CRS	Establish standards for social workers to provide auricular acudetox services.	Summer 2014	Consumers, licensees

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Board of Marriage and Family Therapist Examiners	Implementation of auricular acudetox bill.	12-43-203(3)(a), CRS	Establish standards for marriage and family therapists to provide auricular acudetox services.	Summer 2014	Consumers, licensees
Board of Addiction Counselor Examiners	Implementation of auricular acudetox bill.	12-43-203(3)(a), CRS	Establish standards for CAC IIIs and licensed addiction counselors to provide auricular acudetox services.	Summer 2014	Consumers, licensees
State Board of Optometry	Rules 1.00-19.00	12-40-107(b), C.R.S.	A review of all rules for grammatical errors and legal inconsistencies	Summer 2014	Consumers, licensed optometrists
State Board of Optometry	Add Rule 20.00 Continuing Education	12-40-113(1)(f), C.R.S.	Consider review of continuing education policies to incorporate them into a rule	Summer 2014	Consumers, licensed optometrists
Office of Acupuncture Licensure	Addition of any rules required to implement the 2013 acupuncture Sunset legislation	12-29.5-110(1)(a), 12-29.5-104.5(2), C.R.S.	To implement the 2013 acupuncture Sunset legislation regarding administrative updates	Summer 2014	Consumers, licensed acupuncturists
State Board of Dental Examiners	Rule XVI concerning infection control, Rule XIV concerning anesthesia, and Rule III concerning licensure.	12-35-107(1)(b) and (f), C.R.S.	Amend the current infection control rule; amend the current anesthesia rule; amend the licensure rule to clarify competency requirements; amend licensure rule to make clear that an expired, inactive, or retired licensee is still required to comply with reporting requirements.	Spring 2014	Consumers, licensed dental hygienists, licenses dentists, and dental hygienists and dentists not licensed but married to military personnel residing in Colorado.
State Board of Dental Examiners	Amend/implement rules impacted by sunset legislation in 2014.	12-35-107(1)(b) and (f), C.R.S.	A sunset bill for this program will be introduced in the 2014 legislative session. Rulemaking will likely occur in response thereto.	Fall 2014	Consumers and licensees.

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State Board of Veterinary Medicine	Amend Rules I.B and E in order to allow for "teeth floating" to occur under "indirect supervision" rather than "direct supervision".	12-64-105(9)(j), C.R.S.	The Board's Large Animal Dentistry Committee is recommending allowing for a loosening of this requirement now that the opportunity is available through the passage of HB13-1311.	Spring 2014	Consumers, licensees, and non-licensees.
Physical Therapy Board	New rule regarding continued competency	12-41-114.6(1)(b), C.R.S.	Statute requires adoption of a rule regarding continued competency	Spring 2014	Physical Therapists
Physical Therapy Board	Create and amend testing rules. Update endorsement and reinstatement rules.	12-41-103.6(2)(b), C.R.S.	Create and amend testing rules. Update endorsement and reinstatement rules.	Spring 2014	Consumers, licensees, new graduates, and physical therapists and physical therapist's assistants not licensed but married to military personnel residing in Colorado. .

**Regulatory Agenda 2014 - Insurance**

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<b>Division of Insurance</b>					
Financial Affairs	3-2-1, Proxies, Consents and Authorizations of Domestic Stock Insurers	10-1-109, C.R.S.	Update regulation for Secretary of State format and any statutory changes. Set forth certain requirements for stock insurance companies related to disclosure, proxies, and consents.	Summer 2014	Domestic stock insurers, foreign and alien insurers acquiring CO domestic stock insurers
Financial Affairs	3-2-2, Insider Trading of Equity Securities of a Domestic Stock Insurance Company	10-1-109, C.R.S.	Update regulation for Secretary of State format and any statutory changes. Set forth certain requirements for stock insurance companies related to insider trading.	Summer 2014	Domestic stock insurers, foreign and alien insurers acquiring CO domestic stock insurers
Compliance, Licensing and Investigations	1-1-3, Rules Governing the Filing of Declaratory Judgment Petitions with the Colorado Insurance Commissioner	10-1-109, 24-4-105(11)	Update regulation for Secretary of State format and any statutory changes. Sets forth process for the filing and decision-making regarding petitions for declaratory orders.	Fall 2014	Insurance carriers, insurance producers, consumers, attorneys
Property and Casualty, and Life and Health, Rates and Forms	6-1-1, Limiting Coverage	10-1-109, C.R.S.	Update regulation for Secretary of State format, statutory changes, and Division interpretation. Prescribe conditions to be met by all insurers issuing policies, rides, endorsements, and amendments which limit the coverage usually and normally afforded.	Spring 2014	Insurance carriers, insurance producers, consumers, attorneys

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Compliance, Licensing and Investigations	1-2-6, Concerning Reinsurance Intermediaries	10-2-104, 10-2-912, 10-2-1101, C.R.S.	Update regulation for Secretary of State format, statutory changes, and Division interpretation. Specify filing requirements for licensure for reinsurance intermediaries required to be licensed by the DOI prior to doing business in CO.	Fall 2014	Reinsurance intermediaries, certain insurance producers, insurance carriers
Compliance, Licensing and Investigations	6-3-2, Concerning the Use of Independent Contractors for Informal Investigations and Appeal Processes for Expenses	10-1-109, 10-1-208, C.R.S.	Update regulation for Secretary of State format, statutory changes, and Division interpretation. Specify requirements for use of independent contractors for informal investigations; provide process to appeal expenses charged by such contractors.	Fall 2014	Insurance carriers, insurance producers, consumers, attorneys
Property and Casualty Consumer Affairs	5-2-17, Private Passenger Automobile Coverage Limitations	10-1-109, 101-4-601(5), C.R.S.	Update regulation for Secretary of State format, judicial decisions, and Division interpretation. Prohibit insurers from reducing available liability coverage under an automobile policy.	Summer 2014	Consumers, auto carriers
Market Regulation	1-1-7, Market Conduct Record Retention	10-1-109, C.R.S.	Regulation to be expanded to set forth generally applicable record retention requirements except where specific statutory authority exists for a differing period. Clarify definition and requirements regarding retention, maintenance, access and retrievability of records.	Summer 2014	Carriers, producers, other regulated entities, person who need to know what records are required to be produced for examinations, investigations and other inquiries.

**Regulatory Agenda 2014 - Insurance**

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Consumer Affairs	6-4-1, Privacy of Consumer Financial and Health Information	10-1-109, 10-1-109, 10-5-117, 10-16-109, 10-16-401(4)(o), C.R.S.	Update regulation for Secretary of State format, and to align with NAIC model. Update standards governing the treatment of non-public personal health and financial information about individuals by all licensees of CO-DOI.	Fall 2014	Insurance carriers, insurance producers, consumers, attorneys, healthcare providers, benefit administrators
Consumer Affairs	6-4-2, Standards for Safeguarding Customer Information	10-1-109, 10-16-109, 10-16-401(4)(o), C.R.S.	Update regulation for Secretary of State format, and to align with NAIC model. Establish standards for developing and implementing administrative, technical and physical safeguards to protect the security, confidentiality and integrity of customer information.	Fall 2014	Insurance carriers, insurance producers, consumers, attorneys, health care providers, benefit administrators
Actuarial	4-1-15, Preneed Life Insurance Minimum Mortality Standards for Determining Reserve Liabilities and Nonforfeiture Values	10-1-109, 10-7-313.7, C.R.S.	Establish minimum mortality standards for preneed products. Update regulation for Secretary of State format, and to align with NAIC model.	Spring 2014	Insurance carriers
Compliance, Licensing and Investigations	1-2-9, Fees Charged by Producers	10-1-109, C.R.S.	Update regulation for Secretary of State format, Division interpretation. Implement rules which prohibit producers from charging insurance applicants and policyholders certain fees for which they are already compensated through commissions; clarify which fees may be charged.	Spring 2014	Consumers, insurance producers, insurance companies/carriers



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Actuarial	Concerning Preneed Contract Sellers	10-15-112, C.R.S.	Specify the type of annuity used to fund preneed funeral contracts; require advisory notifications to the consumer about annuities used for this purpose.	Summer 2014	Consumers, insurance companies, producers, particularly those authorized to sell annuities, and preneed contract sellers that use annuities to fund preneed contracts.
Property and Casualty Rates and Forms and Consumer Affairs	5-1-11, Mass Merchandising of Property and Casualty Insurance	10-1-109, C.R.S.	Update regulation for Secretary of State format and any statutory changes. Define mass merchandising of insurance products and set forth the guidelines for such marketing; simplify the rule and remove out-of-date and unnecessary requirements.	Summer 2014	Property and casualty insurers, producers, consumers, unions, associations, employers
Property and Casualty Consumer Affairs and Compliance, Licensing and Investigations	REPEAL, 1-1-2, Public Adjuster Representation Contracts	10-1-109, 10-2-417, CRS	Provisions contained in revised 1-2-10 and 1-2-19	Early 2014	Public adjusters, property and casualty insurance carriers, consumers
Property and Casualty Consumer Affairs and Compliance, Licensing and Investigations	REPEAL 1-2-12, Concerning Public Insurance Adjusters	10-1-109, 10-2-417, 10-3-1110, C.R.S.	Replaced by Regulations 1-2-4, 1-2-10, and 1-2-19 to be effective 1/1/2014.	Early 2014	Public adjusters, property and casualty insurance carriers, consumers
Life and Health Consumer Affairs	4-1-12, Concerning the Disclosure Requirements for Annuity Transactions	10-1-109, 10-3-1110, C.R.S.	Update regulation to conform with current NAIC model to the extent that changes have been made since model was adopted.	Fall 2014	Life insurance carriers, annuity writers, consumers.

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Life and Health Consumer Affairs	4-6-12, Mandatory Coverage of Mental Illnesses	10-16-104, C.R.S.	Conform and harmonize state law and regulations with federal health care reform requirements.	Early 2014	Health insurance carriers, consumers, mental health advocates
Corporate Affairs and Life and Health Consumer Affairs	REPEAL, 4-6-3, Concerning CoverColorado Standardized Notice Form and Eligibility Requirements	10-16-107, 10-16-109, C.R.S.	REPEAL of regulation to specify standardized notice requirements to notify individuals of eligibility for CoverColorado due to repeal of program as of 12/1/2014 for new entrants and 3/31/2014 for current enrollees.	Early 2014	CoverColorado, consumers, employers, health insurance carriers
Corporate Affairs and Life and Health Consumer Affairs	REPEAL, 4-6-11, CoverColorado Standardized Notice Form to Be Used to Notify Certain Individuals, Eligible for Medicare, Eligibility for CoverColorado	10-16-107, 10-16-109, C.R.S.	REPEAL of regulation to specify standardized notice requirements to notify individuals of eligibility for CoverColorado due to repeal of program as of 12/1/2014 for new entrants and 3/31/2014 for current enrollees.	Early 2014	CoverColorado, consumers, employers, health insurance carriers
Life and Health Consumer Affairs	4-2-28, Payment of Early Intervention Services for Children Eligible for Benefits under Part C of the Federal "Individual with Disabilities Education Act "	10-16-104(1.3)	Update regulation to conform to requirements of HB 13-1266 and federal health care reform statutes and regulations.	Early 2014	Health insurance carriers, consumers, child advocacy organizations
Corporate Affairs and Life and Health Consumer Affairs	4-2-15, Required Provisions in Carrier Contracts with Providers, Carrier Contracts with Intermediaries Negotiating on Behalf of Providers and Carrier Contracts with Intermediaries Conducting Utilization Review	101-109, 10-16-121(5), 10-16-708, C.R.S.	Update regulation to Secretary of State format and to incorporate changes necessary due to HB13-1266 and alignment with federal law and statutes.	Early 2014	Health insurance carriers, consumers, providers

**Regulatory Agenda 2014 - Insurance**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>
Corporate Affairs and Life and Health Consumer Affairs	4-2-10, Reporting Requirements for Multiple Employer Welfare Arrangements (MEWAs)	10-1-109, C.R.S.	Clarify the information to be filed under the provisions of §10-3-903.5(7) by MEWAs claiming exempt status from licensing, and to clarify the responsibilities of licensed producers. Update regulation to incorporate changes necessary due to HB13-1266 and alignment with federal law and statutes.	Fall 2014	Health insurance carriers, consumers, associations, unlicensed MEWAs
Corporate Affairs and Life and Health Consumer Affairs	4-7-2, Concerning the Laws Regulating Health Maintenance Organization Benefit Contracts and Services in Colorado	10-16-109, C.R.S.	Update regulation to incorporate changes necessary due to HB 13-1266 and alignment with federal law and statutes.	Fall 2014	Health insurance carriers, consumers, providers, employers
Compliance, Licensing and Investigations	1-2-14, Concerning Record Keeping and Reporting Requirements for Insurance Producers Authorized to Write Bail Bonds, and the Format of the Required Disclosure Statement	10-1-109, 10-2-104, 10-2-705, C.R.S.	Establish the requirements to file the annual report required by §10-2-415.6, C.R.S.; set forth the format of the Disclosure Form required by §C.R.S.; and describe additional documents that must be retained by insurance producers pursuant to §10-2-705(5). Update regulation to incorporate changes necessary due to statutory and process changes in regard to bail bond reports.	Spring 2014	Surety Bail Bond Producers, Bail Bond Insurance Companies, State Judicial Administrator's Office

**Regulatory Agenda 2014 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)
Compliance, Licensing and Investigations	7-1-3, Concerning Record Keeping and Reporting Requirements for Cash-Bonding Agents and Professional Cash-Bail Agents, and the Format of the Required Disclosure Statement	10-1-109, 10-23-102, and 10-23, 108, C.R.S.	Establish requirements to file the annual report required by §10-23-102, C.R.S.; set forth the format of the Disclosure Form required by 10-23-108(2), C.R.S.; and describe additional documents that must be retained by Cash-Bonding Agents and Professional Cash-Bail Agents pursuant to §10-23-108(5), C.R.S. Update regulation to incorporate changes necessary due to statutory and process changes in regard to bail bond reports.	Spring 2014	Cash-bonding and Professional Cash Bail Agents, Bail Bond Companies, State Judicial Administrator's Office
Compliance, Licensing and Investigations	4-1-2, Advertising and Sales Promotion of Life Insurance and Annuities	10-1-108(8), 10-1-109, 10-3-1110, C.R.S	Set forth the minimum standards and guidelines to assure a full and truthful disclosure to the public of all material and relevant information in the advertising of life insurance policies and annuity contracts.	Spring 2014	Consumers, life insurance carriers, producers
Property and Casualty Rates and Forms and Actuarial	5-1-10, Rate and Rule Filing Submission Requirements Property and Casualty	10-1-109, 10-3-1110. 10-4-110.7, 10-4-404, 10-4-404.5, and 10-11-118, C.R.S.	Establish the requirements for rate and rule filings for property and casualty insurance and potentially remove references to title insurance (which would be included in 3-5-1).	Fall 2014	Property and casualty insurers, producers, consumers, title insurers, title agencies

**Regulatory Agenda 2014 - Insurance**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>
Actuarial	4-3-1, Minimum standards for Medicare Supplement Policies	101-1-108(8), 10-1-109, Article 18 of Title 10, C.R.S.	Provide for reasonable standardization of coverage and simplification of terms and benefits of Medicare Supplement policies. Revising regulation to ensure rates are compliant with statutes, actuarial standards of practice. Revise formula for under age 65 premiums.	Winter 2014	Insurance carriers offering Medicare Supplement policies, Medicare beneficiaries, consumers
Actuarial	1-1-1, Actuarial Qualifications	10-1-102(1), C.R.S.	Revise the terminology of "qualified actuary" to one fairly consistent among all lines and states while meeting Colorado's statutory requirements.	Winter 2014	Actuaries, insurance companies
Market Regulation and Compliance, Licensing and Investigations	3-5-1, Concerning Title Insurance	10-1-109, 10-2-104, 10-2-401, 10-3-1110, 10-4-404(1), 10-11-118-10-11-124, C.R.S.	Provide clarification and revised guidelines and requirements on title insurance.	Summer 2014	Title insurance companies, title insurance entities, real estate brokers, mortgage lenders, consumers
Financial Examinations	New -- Concerning Internal Control Requirements and Division Approval of Derivative Programs	10-3-243, C.R.S.	Institute internal control requirements and Division approval over a Company's derivative program. NAIC Model Law and Regulation, necessary for accreditation.	Summer 2014	Domestic insurance companies which write derivatives.

**Regulatory Agenda 2014 - Insurance**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>
Market Regulation	New -- Unclaimed Life Insurance Benefits	10-1-109, 10-3-1110, C.R.S.	Clarify obligations of life insurance entities regulation under Article 7 of Title 10 when any database showing deceased individuals is used to determine whether benefits are payable for one product, that the same database must be used to determine whether benefits are payable for other insurance products issued by that insurer.	Summer 2014	Life insurance carriers, annuity writers, consumers.
Market Regulation	4-2-24, Concerning Clean Claim Requirements for Health Carriers	10-1-109, 10-16-109, C.R.S.	Update requirements to determine whether a claim will be considered a clean claim and the requirements for carriers processing such for prompt payment of claims.	Winter 2014	Health carriers, consumers, providers.
Financial Affairs	3-4-1, Holding Company System	10-1-109, 10-3-808, C.R.S.	Update requirements for carrying out the provisions of the Insurance Holding Company Systems Act and incorporating statutory changes and modifications from the NAIC model acts and regulations necessary for accreditation.	Fall 2014	Carriers
Life and Health Consumer Affairs	NEW -- Wellness programs	10-1-109, 10-16-136(3.5)(a)(I)(B), CRS	Establish guidelines for carrier operation/coverage of wellness programs including incorporation of consumer protections and alignment with federal health reform requirements.	Spring 2014	Health carriers, consumers, providers

**Regulatory Agenda 2014 - Insurance**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>
Life and Health Consumer Affairs and Rates and Forms	NEW --Carrier discontinuance of health plans	10-1-109, 10-16-105.1(6), C.R.S.	Establish standards for carrier discontinuance of health plans including notification requirements, disclosures, etc.	Spring 2014	Health carriers, consumers, employers
Life and Health Consumer Affairs and Rates and Forms	NEW -- Policyholder directed termination of coverage	10-1-109, 10-16-109, 10-16-105.1(6), C.R.S.	Establish standards and requirements for carrier handling of policyholder directed termination of coverage	Spring 2014	Health carriers, consumers, employers, providers
Life and Health Consumer Affairs	NEW -- Grace periods	10-1-109, 10-16-109, 10-16-140(1), C.R.S.	Establish standards and requirements for implementation of grace periods in accordance with HB 13-1266 and federal health care reform requirements.	Spring 2014	Health carriers, consumers, employers, providers
Life and Health Consumer Affairs and Rates and Forms	4-2-7, Procedures for reasonable modifications to individual and small group health benefit plans	10-1-109, 10-16-109, 110-16-105.1, C.R.S.	Update and revise standards and requirements for carriers to submit and Division to consider reasonable modifications to individual and small group health benefit plans.	Summer 2014	Health carriers
Life and Health Consumer Affairs and Rates and Forms	4-2-39, Concerning premium rate setting for individual, small and large group health benefit plans	10-1-109, 10-16-109, 10-16-107, C.R.S.	Update premium rate setting requirements for health benefit plans for 2015.	Spring 2014	Health carriers, consumers, employers
Life and Health Consumer Affairs and Rates and Forms	4-2-41, Concerning the elements for form filings for health benefit plans and certain dental coverage forms and contracts	10-1-109, 10-16-109, 10-16-107, C.R.S.	Update requirements for form filings for health benefit plans and certain dental coverage forms and contracts for 2015 policy years.	Spring 2014	Health carriers, dental carriers, consumers, employers
Life and Health Consumer Affairs and Rates and Forms	4-2-42, Concerning essential health benefits	10-1-109, 10-16-109, 10-16-103.4, C.R.S.	Update requirements for coverage of essential health benefits for 2016 policy year.	Fall 2014	Health carriers, consumers, employers

**Regulatory Agenda 2014 - Insurance**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>
Life and Health Consumer Affairs and Rates and Forms	4-2-44, Transition of individual health benefit plans, basic and standard health benefit plans, business group of one plans, and conversion plans	10-1-109, 10-16-109, 10-16-104.1(6), C.R.S.	Update requirements to align with federal health care reform regulations and law, and HB13-1266 and implement requirements for the transition of categories of coverage that have been repealed.	Spring 2014	Health carriers, consumers, employers
Life and Health Consumers Affairs and Rates and Forms	4-2-45, Uniform Applications	10-1-109, 10-16-109, 10-16-107.5, C.R.S.	Update uniform individual and small group application requirements.	Fall 2014	Health carriers, consumers, employers
Actuarial	4-9-2, Credit Insurance	10-1-109, 10-10-109(2.5), 10-10-114, C.R.S.	Update component rating and filings for 2015 policies.	Fall 2014	Credit insurance carriers



**Regulatory Agenda 2014 – Public Utilities Commission**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)
<b>Public Utilities Commission</b>					
Electric Utilities and Gas Utilities and Pipeline Operators	4 CCR 723-3 and 4 CCR 723-4 (Revision and New)	Commission agreed to investigate further changes necessary for data privacy for electric and gas customers during the rulemaking on Practice and Procedure.	Update Data Privacy Rules for Electric Utilities and Add corresponding rules for Gas Utilities	Spring 2014	Electric and Gas utilities, Energy Outreach Colorado, Colorado Energy Office, Demand Side Management aggregators, customers, other seeking customer utility information
Rail	4 CCR 723-7 (Revision)	Adopt changes from Colorado Transportation Commission and streamlining 40-4-106, CRS	Revise Railroad rules to incorporate new MUTCD cities and definitions adopted by the CO Transportation Commission; streamline and clarify Commission procedures.	Fall 2014	Railroads; some Rail Fixed Guideway systems; road authorities including CDOT, counties, cities and towns
Rail	4 CCR 723-7 (Revision)	Rulemaking to implement new FTA rules related to the State Safety Oversight program for rail fixed guideway systems	Revise Rail Fixed Guideway rules to change and incorporate any changes in FTA's rules based on the MAP-21 legislation.	Winter 2014	Rail Fixed Guideway systems
Transportation	4 CCR 723-6 (Revision)	Anticipate legislative change - Regulation of Transportation Service by Motor Vehicles 40-4-106, CRS	Amendments to existing rules to implement anticipated legislative changes in the areas of public safety, public interest and consumer protection.	Fall 2014	Regulated motor carriers

**Regulatory Agenda 2014 – Public Utilities Commission**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>
Transportation	4 CCR 723-6 (Revision)	Anticipate legislative change - Regulation of Transportation Service by Motor Vehicles 40-4-106, CRS	If no Transportation bills in the Legislature; the Commission expects a rulemaking proceeding to increase fines for violation of State Law and Commission Rule.	Spring 2014	Regulated motor carriers
Telecom	4 CCR 723-2-2130-2159 (Revision and New)	Update Emergency 9-1-1 rules regarding route diversity, contingency plans and outage reporting	Recent weather related and other disasters have highlighted the need to assure that 9-1-1 systems remain available during disasters & sufficient data and communications are available to impacted and involved parties.	Spring 2014	Basic Emergency Service Providers, Telecom Providers (Wireline & Wireless), 9-1-1 Authorities/PSAPs, and citizens that place 9-1-1 communications
Telecom	4 CCR 723-2-2130-2159 (Revision and New)	Update Emergency 9-1-1 rules necessary to support the implementation of and transition to Next Generation 9-1-1 (NG9-1-1) 40-15-101, 201 et seq., CRS	New technologies have enabled modes of communication (e.g., IP & texting) that citizens expect to be able to use to alert emergency service providers when they need assistance. Statewide implementation and transition to NG9-1-1 is required to meet this expectation.	Winter 2014	Basic Emergency Service Providers, Telecom/ Communications Providers (technology neutral), 9-1-1 Authorities/PSAPs/1st responders, and citizens that place 9-1-1 communications
Practice and Procedure	4 CCR 723-1 (Revision)	Technical correction to discovery process in certain proceedings	Revise Practice and Procedure rules to clarify discovery response deadlines in certain proceedings.	Spring 2014	Those appearing in all Commission proceedings.

**Regulatory Agenda 2014 – Public Utilities Commission**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)
Telecom	4 CCR 723-2-2215 (Revision and New)	Update Effective Competition Area (ECA) rules to enable Telecom Providers currently receiving support to apply to continue receiving high cost support in geographic areas the Commission has determined to an ECA.	Proceeding No. 13M-0877T was opened in August 2013 to investigate and solicit comments regarding necessary changes to the high cost support mechanism rules resulting from a determination of effective competition areas. The fund provides support to telecom providers of voice service in high cost areas of the state. Proposed rules will be issued for Commission consideration by end of 1Q2014 with a Notice of Proposed Rulemaking anticipated by 2Q2014.	Summer 2014	Wireline and wireless eligible telecom providers and their customers.
Telecom	4 CCR 723-2-2840-2869 (Revision and New)	Update rules for HCSM generally pursuant to 40-15-502(2), C.R.S. and the triennial review contemplated in CCR 723-2-2850	Proceeding No. 13M-0877T was opened in August 2013 to investigate and solicit comments regarding any necessary changes to the high cost support mechanism rules resulting from a required triennial review. The fund provides support to telecom providers of voice service in high cost areas of the state.	Winter 2014	All wireline and wireless telecom providers and their customers.

**Regulatory Agenda 2014 – Real Estate**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>
<b>Division of Real Estate</b>					
Board of Real Estate Appraisers	License, continuing education and practice standard rules- new and revised	12-61-704, C.R.S.	adoption of new federal criteria, rules review, continued implementation of sunset review changes and AMC legislation	Winter 2014	Appraisers and appraisal management companies
Real Estate Commission	License, continuing education, forms and practice standard rules- new and revised	12-61-114(4) and 12-61-114.5, C.R.S.	Clarify requirements for initial and continued licensure, address practice deficiencies and clarify regulations pertaining to real estate contracts	Winter 2014	Real estate brokers
Board of Mortgage Loan Originators	License, continuing education and practice standard rules- new and revised	12-61-902.5(2), 12-61-905(10), 12-61-905.1(3) C.R.S.	Clarify requirements for initial and continued licensure, address practice deficiencies and promulgate rules as necessary to adopt federal regulations	Winter 2014	Mortgage loan originators
Real Estate Commission	Subdivision rules- new and revised	12-61-114(4), 12-61-114.5, 12-61-406(2.5), C.R.S.	Registration and practice requirements for registered subdivision developers	Winter 2014	Subdivision developers, real estate brokers
Conservation Easement Oversight Commission	Application and certification requirements - new and revised	12-61-720(11), 12-61-723(11)(e)	Adoption of new rules necessary to implement SB13-221, revise rules as necessary to implement HB13-1183, clarify requirements for certification and address practice deficiencies	Winter 2014	Conservation easement holders, taxpayers seeking a tax credit for conservation easement donations
Homeowner's Associations - Director model	License, continuing education and practice standard rules- new and revised	12-61-406.5(5), 12-61-1002(2), C.R.S.	Adoption of new rules and revision of existing rules as necessary to implement HB13-1277 and HB13-1134.	Winter 2014	HOA managers, homeowners residing within common interest communities, real estate brokers

**Regulatory Agenda 2014 - Securities**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)
<b>Division of Securities</b>					
Securities	Include failure to comply with FINRA, CFTC and SEC fair practice and ethical conduct rules as meeting definition of dishonest and unethical conduct under the Act.	11-51-704, 11-51-410(1)(g)	Coordination of Division rules with federal standards as is required by the Securities Act and investor protection.	Spring 2014	Broker-Dealers and securities sales representatives



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(DORA)  
2013 Regulatory Agenda Report  
November 1, 2013**



**Regulatory Agenda Report 2013 – Banking**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
<b>Division of Banking</b>							
Banking	CB 101.64 –Modify Lending Limits (Emergency)	11-105-303, C.R.S	Conform and comply with Dodd-Frank, Section 611, requiring states to consider derivatives exposure in legal lending limits	January 21, 2013	State Chartered Banks and commercial borrowers intending to engage in such transactions	Adopted on 3-21/13; effective that same date.	Announced in the board agenda; comments accepted at Banking Board meeting.
Banking and Money Transmitter	Division and Money Transmitter program subject to Sunset Review and additional Dodd-Frank requirements	12-52-101 through 12-52-206, C.R.S.	Revise rules as required by the Dodd-Frank Act and Sunset Review results.	Prior to December 31, 2013	State chartered banks, money transmitters, trust departments and trust companies	Industrial Bank and Private Family Trust rules repealed; will be effective 11-14-13.	Comments were taken in accordance with rulemaking requirements. There were no written or oral comments.
Banking	Programs subject to additional/final Dodd-Frank requirements	11-101-101 through 11-109-907, C.R.S.	Revise rules as required by the Dodd-Frank Act and Sunset Review results.	Prior to December 31, 2013	State chartered banks, money transmitters, trust departments and trust companies	Ongoing.	
Banking	List of Approved Eligible Collateral Instruments and Obligations	11-10.5-107(1), C.R.S.	Conform and comply with Dodd-Frank legislation, necessitating a change to investment grade rather than reliance on investment rating agencies.	June 2013	State and Nationally Chartered Banks	Amendments were adopted on 2-12-13 and became effective on 4-14-13.	Meetings were held with affected stakeholders. Comments were taken in accordance with the rulemaking process and included in the final rule.

**Regulatory Agenda Report 2013 – Civil Rights**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
<b>Division of Civil Rights</b>							
Civil Rights	3 CCR 708-1, Rules 10 and 20	24-34-306, C.R.S.	Clarify procedure for filing and enforcement of discrimination charges	Prior to July 31, 2013	Housing Providers, Employers, Places of Public Accommodation	Ongoing	Suggested rule modifications drafted by CCRD are currently being reviewed by the Colorado Civil Rights Commission.
Civil Rights	3 CCR 708-1, Rules 30-80	24-34-401 to 24-34-707, C.R.S.	Update rules relating to each protected class, to align with current law	Prior to July 31, 2013	Housing Providers, Employers, Places of Public Accommodation	Ongoing	Suggested rule modifications drafted by CCRD are currently being reviewed by the Colorado Civil Rights Commission.
Civil Rights	3 CCR 708-1, Rule 90	24-34-401 to 406, C.R.S.	Repeal obsolete rules regarding uniform employment testing	Prior to July 31, 2013	Employers	Ongoing	Suggested rule modifications drafted by CCRD are currently being reviewed by the Colorado Civil Rights Commission.



Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
<b>Division of Professions and Occupations</b>							
Colorado Board of Accountancy	Revisions to existing rules and new rule on firm registration requirements that would dovetail the existing statutory language.	12-2-104(1)(b) and 24-4-103.	Clarify examination and licensure requirements on and after July 1, 2015 and clarify all other chapters related to reporting requirements, CPE, registering CPA firms, etc.		Anyone interested in becoming a CPA and existing CPAs	Effective July 1, 2013	NEW – The rulemaking process began in 2011 and was expected to be completed in 2012 rather than 2013.
Colorado Medical Board	Implementation of the Professional Review Sunset - specifically the annual reporting of adverse actions  Adopted New Rule 370; amended Rule 300; repealed existing	HB 12-1300	Addition of physician assistants to the Professional Review Process (formerly known as Peer Review). See Title 12, Article 36.5, C.R.S.	Mid-2013.	Consumers, licensed physicians, licensed physician assistants, and professional review organizations providing services.	07/15/2013	Adoption of new rule to implement new legislation.
Colorado Medical Board	Emergency re-adoption of Rule 140 (3 CCR 713-33)	SB 13-042	Concerning the renewal of distinguished foreign teaching physician licenses by a person ranked lower than an associate professor	Mid-2013	Distinguished foreign teaching physicians, academic staff at the University of Colorado School of Medicine	05/16/2013	Emergency adoption of existing rule.
Colorado Medical Board	Emergency re-adoption of Rule 140 (3 CCR 713-33)	12-36-104(1)(a) and 12-36-107.2, C.R.S.	Concerning the renewal of distinguished foreign teaching physician license	Late 2013	Distinguished foreign teaching physicians	08/15/2013	Emergency adoption of existing rule.

**Regulatory Agenda Report 2013 – Professions & Occupations**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>	<b>Status -Adopted (Date) -Not Adopted -On-Going</b>	<b>Comments (Including Stakeholder Meetings, etc.,)</b>
Colorado Medical Board	Implementation of a new license type -- Anesthesiologist Assistants Adopted new Rule 510	HB 12-1332	Implementation of new licensure type	Early 2013	Anesthesiologist Assistants, Physician Anesthesiologists supervising Anesthesiologist Assistants, Hospitals and other institutions	04/30/2013	Adoption of new rule to implement new legislation.
Examining Board of Plumbers	Adoption of the 2012 Colorado Plumbing Code (IPC 2012); any other rules stemming from 2013 plumbing sunset legislation.	12-58-104(1)(d) , C.R.S.	Incorporate current plumbing codes and statutory changes.	Fall, 2013	Consumers, jurisdictional authorities, licensed plumbers, registered plumbing contactors, and registered apprentices.	On-Going. Should be adopted by Fall 2013.	Stakeholder meeting taking place on 10/21/2013.
Office of Acupuncture Licensure	Implement the 2013 acupuncture Sunset legislation.	12-29.5-110(1)(a), 12-29.5-104.5(2) , C.R.S.	Implement the 2013 acupuncture Sunset legislation.	Late 2013	Licensed acupuncturists and acupuncturist applicants	On-going.	
Office of Athletic Trainer Registration	Add Rule 10 - Licensure Requirements: Credit for Military Experience	12-29.7-112 and 24-34-102(8.5) , C.R.S.	Outline conditions and procedures for the Board's evaluation of applicants' military experience	Early 2013	Applicants for certification who want military experience considered	On-going	
Office of Audiology and Hearing Aid Provider	Repeal all rules	Was 12-5.5-106(5) and 12-5.5-206(4) , C.R.S.	The AUD/HAP program is currently in wind-up. All rules will be repealed.	Mid-2013	Consumers, audiologists, and hearing aid providers.	8/26/13	Stakeholder meetings were held on 6/28/13, 9/26/13, and 9/30/13
Massage Therapy	Add Rule 10	12-35.5-117 and 24-34-102(8.5) , C.R.S.	Procedures for evaluation of military applicants	Early 2013	Consumers and military applicants	-On-Going	

**Regulatory Agenda Report 2013 – Professions & Occupations**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>	<b>Status -Adopted (Date) -Not Adopted -On-Going</b>	<b>Comments (Including Stakeholder Meetings, etc.)</b>
Office of Massage Therapist Registration	Addition of any rules required to implement the 2013 massage therapy Sunset legislation	12-35.5-117, C.R.S.	To implement the 2013 massage therapy Sunset legislation	Late 2013	Consumers, registered massage therapists, and massage therapist applicants	-On-Going	Stakeholder meeting will be scheduled for November 2013
Office of Occupational Therapist Registration	Add Rule 10 - Licensure Requirements: Credit for Military Experience	12-40.5-112 and 24-34-102(8.5) , C.R.S.	Outline conditions and procedures for the Director's evaluation of applicants' military experience and training.	Early 2013	Consumers and occupational therapy applicants who want the Director to consider military experience, training, or education	ongoing	
Office of Occupational Therapist	Any rule to implement the 2013 occupational therapy Sunset	12-40.5-112, C.R.S.	Implement the 2013 occupational therapy Sunset legislation	Late 2013	Consumers and Registered Occupational Therapists	On-Going	Conducting stakeholder meetings in October and November 2013
State Board of Addiction Counselor Examiners	Potentially all Board Rules may be reviewed and revised. This is a new board implemented in December 2011 and initial rules were enacted to align with the other mental health boards.	12-43-203, 12-43-227.5, 12-43-804, 12-43-805, C.R.S.	Revise rules to ensure consistency with other mental health boards; implement peer assistance; consider a clarifying rule regarding "holding therapy;" and otherwise clarify existing rules.	Summer 2013	Consumers, certified addiction counselors, licensed addiction counselors, and some expired addiction counselors.	Ongoing	

**Regulatory Agenda Report 2013 – Professions & Occupations**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
State Board of Chiropractic Examiners	Emergency rule 7(C) – Scope of Practice	12-33-107(1)(a), C.R.S.	Repeal the amendment made to Rule 7(C) that allowed chiropractors to administer nutritional and remedial measures by means of injectable procedures		Consumers, licensed chiropractors	Adopted 1/24/13	New – unexpected changes in industry scope
State Board of Chiropractic Examiners	Permanent repeal of amendment to Rule 7(C) – Scope of Practice	12-33-102(1), C.R.S.	Comply with the law by removing the definition of the word “Administer” and all certification requirements for chiropractors who choose to administer Nutritional Remedial Measures		Consumers, licensed chiropractors	Adopted 3/21/13, effective 5/15/13	New – unexpected changes in industry scope
State Board of Dental Examiners	Rule XVI concerning infection control, Rule XIV concerning anesthesia, and Rule III concerning licensure.	12-35-107(1)(b) and (f) , C.R.S.	Amend the current infection rule to clarify the standard of care; amend the current anesthesia rule to correct confusing language	Summer 2013	Consumers, licensed dental hygienists, and licensed dentists.	Ongoing	
State Board of Landscape Architects	Revision of Rule 5.4.2, Holding Out as Registered Landscape Architect (RLA)	12-45-107(1)(a) , C.R.S.	Update the rule to include and recognize usage of the term “Professional Landscape Architect” (PLA)	Mid-2013	Consumers and licensed landscape architects	Adopted Jan 18, 2013  Effective Mar 17, 2013	NEW—Unanticipated need for rules due to change in professional titles usage.

**Regulatory Agenda Report 2013 – Professions & Occupations**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>	<b>Status -Adopted (Date) -Not Adopted -On-Going</b>	<b>Comments (Including Stakeholder Meetings, etc.,)</b>
State Board of Licensed Professional Counselor Examiners	Rule 3, Confidentiality of Proceedings and Records of the Board; Rule 14, Licensure by Examination; and Rule 18, Continuing Professional Competence	12-43-203, 12-43-227, 12-43-603, 12-43-605, C.R.S.	Clarify licensure requirements for candidates; implement peer services requirements; consider a clarifying rule regarding "holding therapy."	Summer 2013	Consumers, professional counselor applicants, professional counselor candidates, and licensed professional counselors	Ongoing	
State Board of Licensed Professional Counselor Examiners	New rule re: jurisprudence examination as part of candidate status requirements	12-43-203 and 603, C.R.S.	Establish the jurisprudence examination as part of candidate status requirements.	Summer 2013	Consumers, professional counselor applicants, professional counselor candidates, and some expired licensed professional counselors	Ongoing	
State Board of Licensure for Architects, Professional Engineers	Amendment, deletion, or addition of rules required to implement sunset legislation.	12-25-107(a) and (b), 12-25-207(a), 12-25-307(a) , C.R.S.	Revise rules in accordance with any changes in sunset legislation	Late 2013	Consumers, professional engineers, engineer interns, professional land surveyors, land surveyor interns, and architects	Ongoing	Stakeholders present for discussions at Oct & Nov meetings of the Board.
State Board of Marriage and Family Therapists Examiners	Rule 3, Confidentiality of Proceedings and Records of the Board; Rule 14, Licensure by Examination; and Rule 18	12-43-203, 12-43-227, 12-43-504, 12-43-506, C.R.S.	Clarify licensure requirements for candidates; implement peer services requirements; clarify rule regarding "holding therapy."	Summer 2013	Consumers, marriage family therapist applicants, marriage family therapist candidates, and marriage family therapists	Ongoing	

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State Board of Marriage and Family Therapists Examiners	New rule re: jurisprudence examination as part of candidate status requirements	12-43-203 and 504, C.R.S.	Establish the jurisprudence examination as part of candidate status requirements.	Summer 2013	Consumers, marriage family therapist applicants, marriage family therapist candidates	Ongoing	
State Board of Nursing	Add Chapter 23 - Peer Review	12-38-108(1)(a) and (j) , C.R.S.	Implement peer review legislation that included Advanced Practice Nurses	January 2013	Consumers, Advanced Practice Nurses, and the peer review organizations that will provide peer review services.	Ongoing; anticipated completion by October 2014	
State Board of Nursing	Chapter 2 - Nursing Education	12-38-108, C.R.S.	Update and revise the nursing education rules based on practice changes and national accreditation standards.	January or April 2013	Consumers and nursing education programs	Adopted 1/22/2013	Stakeholder webinars held, each addressing different sections of Chapter 2 rules. Invited stakeholders were the same for all: Colorado nurse educators
State Board of Nursing	Chapter 11 concerning Approval of Nurse Aide Training Programs, and Chapter 12 concerning Approval of Medication Aide Training Programs	12-38-108, C.R.S.	Revise the certified nurse aide and medication aide education program rules for consistency with the revisions of the nursing education rules.	April or July 2013	Consumers and nurse aide and medication aide training programs	Ongoing; anticipated completion by October 2014	

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
State Board of Nursing	Chapter 5 and Chapter 6	12-38-108, C.R.S.	Update and revise the Licensed Psychiatric Technician Rules and Education Rules.	July or October 2013	Consumers, licensed Psychiatric Technicians, and the training programs of such profession.	Ongoing; anticipated completion by October 2014	
State Board of Nursing	Miscellaneous Nursing Rules	12-38-108, C.R.S.	Correct and revise miscellaneous rules needing non-substantive updates, housekeeping corrections.	July or October 2013	Consumers, registered nurses, licensed practical nurses, certified nurse aides, advanced practice nurses, psychiatric technicians, and medication aides.	Adopted 1/22/2013 Chapters 1, 2, 5, 10, 19  Adopted 4/23/2013 - Chapter 20	Activity part of Program's on-going rule review
State Board of Nursing	Miscellaneous Nursing Rules	12-71-102(1) C.R.S.	Add rule to implement military spouse licensing provision		Consumers, military, military spouses, all nursing licensees	Adopted 1/22/2013	<b>New-</b> was no indication rule was needed at time of Reg. Agenda submission
State Board of Optometry	New rules for continuing education	12-40-107 (g) , C.R.S.	Codify existing continuing education policies in rule	February or May 2013	Consumers and Licensed Optometrists	On -Going	
State Board of Optometry	Amendment of rules 10 and 11 regarding education for prescribing	12-40-107 (g) , C.R.S.	Clarify requirements pertaining to education for prescribing	February or May 2013	Consumers and Licensed Optometrists	On -Going	

**Regulatory Agenda Report 2013 – Professions & Occupations**

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State Board of Optometry	New rule concerning fees for prescribing medications	12-40-107 (g) , C.R.S.	Clarify whether and to what extent Optometrists can charge for prescribing medications	February or May 2013	Consumers and Licensed Optometrists	On -Going	
State Board of Pharmacy	Amend Rule 3.00.00 to implement SB 12-161	12-42.5-133, CRS	To allow the reuse of unused drugs from correctional facilities	1/1/13	Consumers, and correctional facilities	Adopted 1/1/13	NEW. Unanticipated rule due to legislation.
State Board of Pharmacy	Amend Rule 3.00.21 and addition of Rule 3.00.22 to implement CRS 12-42.5-105(2) regarding the dispensing of non-controlled substance opiate antagonist	12-42.5-105(2), CRS	To permit dispensing of non-controlled substance opiate antagonists by pharmacists pursuant to orders issued to a person, or a family member or friend of a person, at risk of an opiate overdose	9/14/13	Consumers, pharmacists, pharmacies, prescribing practitioners	Adopted 9/14/13	NEW. Unanticipated rule due to legislation.
State Board of Pharmacy	New rules regarding flavoring of prescriptions	12-42.5-101, 12-42.5-105, 12-42.5-106,	Allow pharmacists to flavor prescriptions	Late 2013	Consumers, licensed pharmacists, pharmacies.	Adopted 9/14/13	No stakeholder comment provided
State Board of Pharmacy	Addition of Rule 3.00.70 clarifying the definition of the “Practice of pharmacy”	12-42.5-102(31),12-42.5-119, CRS	To establish that the placement of a prescription into another container is included in the “Practice of pharmacy” definition	1/1/13	Consumers, pharmacies	Adopted 1/1/13	NEW. Unanticipated rule. One chain pharmacy opposed.



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State Board of Pharmacy	Amend Rule 3.00.90 regarding the return to stock of certain drugs	12-42.5-101, 12-42.5-105,12-42.5-106, CRS	To prohibit the return to stock of a compounded or flavored prescription	9/14/13	Consumers, pharmacists, and pharmacies	Adopted 9/14/13	NEW. Unanticipated rule. One chain pharmacy opposed.
State Board of Pharmacy	Amend Rule 3.01.10 regarding the distribution of prepackaged drugs	12-42.5-118(15)(b)	To specify under which conditions a pharmacy may distribute a prepackaged drug	1/1/13	Consumers, and pharmacies	Adopted 1/1/13	NEW. Unanticipated rule. No stakeholder comment provided.
State Board of Pharmacy	Addition of Rule 3.01.30 regarding the repackaging of sterile drugs	12-42.5-101, 12-42.5-105,12-42.5-106, CRS	To specify requirements to repackage a sterile drug.	9/14/13	Consumers, pharmacists, and pharmacies	Adopted 9/14/13	NEW. Unanticipated rule. Many stakeholder comments received and a majority of comments were addressed by amendments to the final adopted rule.
State Board of Pharmacy	Amend Rule 4.00.00 to implement HB 12-1311 regarding the definition of "Pharmacy intern"	12-42.5-117(17),12-42.5-118(13), CRS	To modernize the definition of "Pharmacy intern" to capture what interns now perform and to remove pharmacy preceptors	1/1/13	Pharmacy interns and schools/colleges of pharmacy	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.

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State Board of Pharmacy	Amend Rule 4.00.00 to implement CRS 12-42.5-102(17) regarding the definition of “Pharmacy intern”	12-42.5-102(17), CRS	To remove, as part of the definition of a “Pharmacy intern”, a licensed pharmacist in another state who is making clinical rotations of a nontraditional pharmacy program	9/14/13	Pharmacy interns and schools/colleges of pharmacy	Adopted 9/14/13	NEW. Unanticipated rule due to legislation. No stakeholder comment provided.
State Board of Pharmacy	Amend Rule 5.00.70 to implement HB 12-1311 regarding pharmacist managers of pharmacies	12-42.5-116(1)(b)	To increase the number of days a pharmacy must replace a pharmacist manager that has ceased the position from 14 days to 30.	1/1/13	Consumers and pharmacies	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.
State Board of Pharmacy	Amend Rule 5.01.31 regarding required compounding equipment in pharmacies	12-42.5-101, 12-42.5-105,12-42.5-106, CRS	To reduce the kinds of compounding equipment a pharmacy must obtain and maintain	1/1/13	Consumers and pharmacies	Adopted 1/1/13	NEW. Unanticipated rule. No stakeholder comment provided.
State Board of Pharmacy	Amend Rule 5.01.31 regarding pharmacy compounding/dispensing areas	12-42.5-101, 12-42.5-105,12-42.5-106, CRS	To separate parts of a pharmacy’s compounding/dispensing area so long as they are immediately unlocked upon request of the Board	9/14/13	Pharmacies and pharmacists	Adopted 9/14/13	NEW. Unanticipated rule. No stakeholder comment provided.

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State Board of Pharmacy	Amend Rule 6, Drug Therapy Management	12-42.5-101, 12-42.5-105, 12-42.5-106, and 24-4-103, C.R.S.	Amend drug therapy management rules to concur with practice changes	Late 2013	Consumers and licensed pharmacists that conduct Drug Therapy Management	Not Adopted	Pharmacy Board did not believe it was necessary to move to a hearing and no amendments were adopted.
State Board of Pharmacy	Amend Rule 8.00.10 regarding prescription labeling	12-42.5-101, 12-42.5-105, 12-42.5-106, CRS	To allow more flexibility in labeling for centrally processed prescriptions	1/1/13	Consumers and pharmacies engaged in the central processing of prescriptions	Adopted 1/1/13	NEW. Unanticipated rule. No stakeholder comment provided.
State Board of Pharmacy	Amend Rule 10.00.00 to implement HB 12-1311 regarding emergency kits and starter doses	12-42.5-118(5)(a)(III), CRS	To define “emergency kit” and “starter dose” in rule.	1/1/13	Consumers and pharmacies and long-term care facilities	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.
State Board of Pharmacy	Amend Rule 12.00.32(a) to update reference requirements for nuclear pharmacies	12-42.5-101, 12-42.5-105, 12-42.5-106, CRS	To update reference requirements for nuclear pharmacies	1/1/13	Consumers and nuclear pharmacies	Adopted 1/1/13	NEW. Unanticipated rule. No stakeholder comment provided.
State Board of Pharmacy	Amend Rule 14.00.00 to implement HB 12-1311 regarding the definition of “Other outlets”	12-42.5-102(25), CRS	To expand to the definition of “Other outlets” to include federally qualified health centers, ambulatory surgery centers, medical clinics operated by hospitals, and hospices	1/1/13	Consumers and federally qualified health centers, ambulatory surgery centers, medical clinics operated by hospitals, and hospices	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.

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State Board of Pharmacy	Amend Rule 15.01.11 regarding designated representatives of prescription drug wholesalers	12-42.5-306(6), CRS	To extend the time wholesalers have to submit an application and fee to change a designated representative from 14 days to 30	1/1/13	Prescription drug wholesalers	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.
State Board of Pharmacy	Amend Rule 15.10.14 to implement HB 12-1311 regarding veterinary prescription drug wholesalers	12-42.5-118(3)(b), CRS	to allow veterinary drug wholesalers to accept prescription orders verbally and to have followed up with written orders in some instances	1/1/13	Consumers, farmers, feed lot operators and veterinary prescription drug wholesalers	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.
State Board of Pharmacy	Appeal Rule 17.00.00 regarding electronic transmission of prescription	12-42.5-101, 12-42.5-105,12-42.5-106, CRS	To remove outdated requirements	1/1/13	Pharmacies and prescribing practitioners	Adopted 1/1/13	NEW. Unanticipated rule. No stakeholder comment provided
State Board of Pharmacy	Amend Rule 18.00.00 to implement HB 12-1311 to remove the Rehabilitation Evaluation Committee	12-42.5-101, 12-42.5-105,12-42.5-106, CRS	To remove the Rehabilitation Evaluation Committee	1/1/13	Consumers, pharmacists, Colorado Peer Health Assistance Diversion Program	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.
State Board of Pharmacy	Amend Rule 20.01.20 regarding the central processing of prescriptions	12-42.5-101, 12-42.5-105,12-42.5-106, CRS	To allow more flexibility in labeling centrally processed prescriptions	1/1/13	Pharmacies engaged in the central processing of prescriptions	Adopted 1/1/13	NEW. Unanticipated rule. No stakeholder comment provided.

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State Board of Pharmacy	Amend Rule 21.00.20(a) and (b) regarding the distribution of compounded drugs from pharmacies	12-42.5-130(2), CRS	To clarify that only in-state pharmacies may distributed compounded drugs	1/1/13	Nonresident pharmacies, in-state pharmacies, practitioners with authority to prescribe	Adopted 1/1/13	NEW. Unanticipated rule. No stakeholder comment provided.
State Board of Pharmacy	Amend Rule 23.00.90 regarding the Prescription Drug Monitoring Program	12-42.5-101, 12-42.5-105,12-42.5-106, CRS	To exempt reporting into the Prescription Drug Monitoring Program any dispensing transaction related to an FDA-approved investigational study	9/14/13	Consumers, pharmacists and pharmacies	Adopted 9/14/13	NEW. Unanticipated rule. No stakeholder comment provided.
State Board of Pharmacy	Addition of Rule 24.00.00 to implement HB 12-1133 regarding Confidential Agreements	12-42.5-134, CRS	To allow for Board to enter into Confidential Agreements with licensees who have a physical or mental condition that would impact their ability to practice pharmacy with reasonable skill and safety.	1/1/13	Consumers, pharmacists and pharmacy interns	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.

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State Board of Pharmacy	Addition of Rule 25.00.00 to implement HB 12-1133 regarding Specialized Prescription Drug Outlets	12-42.5-118(4), CRS	To allow for and to specify the requirements of Specialized Prescription Drug Outlets in order to allow long-term care facilities to maintain non-patient specific drug stocks	1/1/13	Consumers, pharmacies and long-term care facilities	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.
State Board of Pharmacy	Addition of Rule 26.00.00 to implement HB 12-1133 regarding Remote Pharmacy Practice	12-42.5-118(4), CRS	To allow for and to specify the requirements of Remote Pharmacy Practice	1/1/13	Consumers, and licensees and pharmacies	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.
State Board of Pharmacy	Addition of Rule 27.00.00 to implement HB 12-1133 regarding Hospital Satellite Pharmacies	12-42.5-117(10), CRS	To allow for and to specify the requirements of Hospital Satellite Pharmacies for hospitals which maintain drug stocks at a location within 1 mile of the main hospital	1/1/13	Consumers and hospital pharmacies	Adopted 1/1/13	NEW. Unanticipated rule due to sunset. No stakeholder comment provided.
State Board of Psychologist Examiners	Rule 3, Confidentiality of Proceedings and Records of the Board; and Rule 14, Licensure by Examination	12-43-203, 12-43-227.5, 12-43-304, C.R.S.	Clarify licensure for candidates; implement peer services; clarify rule regarding "holding therapy"	Summer 2013	Consumers, psychologist applicants, psychologist candidates, and licensed psychologists.	Ongoing	

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State Board of Psychologist Examiners	New rule re: jurisprudence examination as part of candidate status requirements	12-43-203 and 304, C.R.S.	Establish the jurisprudence examination as part of candidate status requirements.	Summer 2013	Consumers, psychologist applicants, psychologist candidates, and some expired licensees	Ongoing	
State Board of Registered Psychotherapists	Rule 3, Confidentiality of Proceedings and Records of the Board	12-43-203, 12-43-227, C.R.S.	Clarify rules to ensure consistency with statutory language; implement peer assistance; clarify rule regarding "holding therapy."	Summer 2013	Consumers, psychotherapist applicants, and registered psychotherapists.	Ongoing	
State Board of Social Work Examiners	Rule 3, Confidentiality of Proceedings and Records of the Board; Rule 14, Licensure by Examination; and Rule 18, Continuing Professional Competence	12-43-203, 12-43-227, 12-43-404, 12-43-411, C.R.S.	Clarify licensure requirements for candidates and those seeking licensure after revocation or relinquishment; implement peer services requirements; consider a clarifying rule regarding "holding therapy"	Summer 2013	Consumers, social work applicants, licensed social workers, and licensed clinical social workers.	Ongoing	
State Board of Veterinary Medicine	Rule I.A concerning animal dentistry	12-64-105(9)(j) , C.R.S.	Address whether non-veterinarians may engage in animal dentistry.	Spring 2013	Consumers and licensed veterinarians.	Adopted on 4/5/13, and effective 5/30/13.	Stakeholders were contacted and asked to submit comments and attend rulemaking.

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State Board of Veterinary Medicine	Rule I.B concerning “indirect supervision”.	12-64-105(9)(j), C.R.S.	Temporary rulemaking was needed to remove this well received rule by consumers and veterinarians, and return Rule I.B to its original format since a conflict with statute was discovered by the Program Director.		Consumers and licensed veterinarians.	Effective 2/8/13; subsequent change became effective 5/30/13.	NEW—Unanticipated need for rule because of statutory conflict.
State Board of Veterinary Medicine	Rule I.E concerning “teeth floating”.	12-64-105(9)(j), C.R.S.	A new rule to define this practice and make clear that a non-veterinarian can only perform it under the direct supervision of a licensed veterinarian.		Consumers, veterinarians, and non-veterinarians.	Adopted 4/5/13, and effective 5/30/13.	NEW—Unanticipated need for rule
State Board of Veterinary Medicine	Rule I.B concerning “indirect supervision” in response to HB13-1311	12-64-105(9)(j), C.R.S.	Re-introduce the Board’s former rule allowing for “indirect supervision” to occur under limited circumstances once the conflict with the supervision language contained within the definition of “veterinary premises” pursuant to 12-64-103(17), C.R.S., was removed through legislation passed in 2013 by the Colorado Veterinary Medical Assoc.		Consumers and licensed veterinarians.  Consumers and non-licensed veterinarians married to military personnel.	Adopted on 8/1/13, and effective 9/30/13.	NEW—Unanticipated rules from legislation.



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State Physical Therapy Board	Add Rule 215 - Termination of Practice upon Suspension or Revocation	12-41-103.6(2)(b) , C.R.S.	Codify the procedures governing licensees' obligation to notify patients when they no longer can practice physical therapy.	Mid-2013	Consumers and licensed physical therapists	Carry over	
State Physical Therapy Board	Add Rule 216 - Supervision of Other Licensed Personnel	12-41-103.6(2)(b) and 12-41-113(1) , C.R.S.	Specify the supervisory provisions for other licensed personnel	Mid-2013	Consumers and those physical therapists who work with other health care licensed personnel in their practices.	Carry over	
Office of Speech-Language Pathology Certification	Adopted New Rules 1 - 17, which implements the new Speech –Language Pathology Practice Act.	House Bill 12-1303,	Regulates Speech-language pathology in CO	All rules became effective on May 15, 2013.	Consumers, Speech-Language Pathologists, children with disabilities, schools, and all entities that use SLPs.	Adopted May 15, 2013.	NEW. Unanticipated rules from legislation.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
<b>Division of Insurance</b>							
Insurance	3-1-9, Minimum Reserve Standards for Individual and Group Health Insurance Companies	10-1-108(8), 10-1-109, 10-16-109, 10-16-220, C.R.S.	Adopt model law/ regulation changes promulgated by National Association of Insurance Commissioners (NAIC).	January 1, 2013	Health Insurance Companies/Carriers	Adopted 11/15/2012 and effective 01-01-2013	
Insurance	3-2-1, Proxies, Consents and Authorizations of Domestic Stock Insurers	10-1-109, C.R.S.	Set forth certain requirements for stock insurance companies related to disclosure, proxies and consents. This revision is proposed to be amended to update the format and remove any out of date requirements.	February 1, 2013	Insurers/Health Companies /Carriers	Ongoing	Rarely used, anticipate amending regulation to be effective 06/01/2014 (included in the 2014 Regulatory Agenda)
Insurance	3-2-2, Insider Trading of Equity Securities of a Domestic Stock Insurance Company	10-1-109, C.R.S.	Set forth certain requirements for stock insurance companies related to insider trading; amend to update the format and to remove any out of date requirements.	February 1, 2013	Insurers/Health Companies /Carriers	Ongoing	Rarely used and may not be required. Anticipate making decision on whether to amend or repeal to be effective 06/01/2014 (included in the 2014 Regulatory Agenda).
Insurance	2-1-2, Home or Regional Home Office Qualification for Colorado Licensed Insurers	10-3-209, C.R.S.	Provide filing requirements for Regional Home Office applications.	March 1, 2013	Insurance companies that qualify for Regional Home Office.	01/14/2013	

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	1-1-3, Rules Governing the Filing of Declaratory Judgment Petitions with the Colorado Insurance Commissioner	10-1-109 and 24-4-105(11) , C.R.S.	Update regulation providing for the entertainment of petitions for declaratory orders.	March 1, 2013	Consumers and Industry	On going	Included in the 2014 Regulatory Agenda
Insurance	6-1-1, Limiting Coverage	10-1-109, C.R.S.	Prescribe conditions to be met by all insurers issuing policies, riders, endorsements, and amendments which limit the coverage usually and normally afforded.	March 1, 2013	Policy Holders, Insurers	In process and ongoing.	Anticipate decision on amendment, repeal or replacement to be effective 03/01/2014 (included in the 2014 Regulatory Agenda)
Insurance	Rating Standards for Major Medical, Nonprofit hospital/medical/surgical and HMO plans	10-16-107, 10-16-109, C.R.S.	Provide guidance to carriers on new requirements concerning health care reform.	March 1, 2013	Insurance companies/Carriers	Reg. 4-2-40 adopted 08/12/13 Reg. 4-2-39 adopted 08/13/2013 Reg. 4-2-46 adopted 10/08/2013	Consumer advocacy groups and health carriers were provided drafts of the regulations in anticipation of noticing [external review];

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	5-2-9, Personal Injury Protection Examination Program (Repeal)	10-1-109 and 10-4-706, C.R.S.	Repeal rules pertaining to Personal Injury Protection/ Independent Medical Examinations (PIP/IME) as laws sunset July 1, 2003.	March 1, 2013	Insurance Industry; Division of Insurance and consumers.	Not adopted.	Received AG opinion that DOI must continue to have PIP Exam program available for anyone who would qualify, i.e. be eligible for payment of claims for medical and rehabilitation services. PIP (no-fault) law repealed as of 07/01/2003.
Insurance	1-2-6, Reinsurance Intermediaries	10-2-104, 10-2-912, 10-2-1101, C.R.S.	Specify filing requirements for licensure for reinsurance intermediaries required to be licensed by the DOI prior to doing business in CO.	April 1, 2013	Reinsurance intermediaries	Ongoing.	Included in the 2014 Regulatory Agenda.
Insurance	6-3-2, Concerning The Use of Independent Contractors For Informal Investigations and Appeal Process For Expenses	10-1-109, 10-1-208, C.R.S.	Set requirements for using independent contractors for informal investigations; provide process to appeal expenses charged by such contractors.	April 1, 2013	Producers/Agents/Brokers, Carriers	Ongoing.	Included in the 2014 Regulatory Agenda.
Insurance	5-2-17, Private Passenger Automobile Coverage Limitations	10-1-109 and 10-4-601(5) , C.R.S.	Prohibit insurers from reducing available liability coverage	April 1, 2013	Colorado consumers, both claimants and insureds.	Ongoing.	Anticipate promulgation by 06/01/2014.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
Insurance	1-1-7, Market Conduct Record Retention	10-1-109, C.R.S.	Clarify definitions and requirements regarding retention, maintenance, and access and retrievability of entity records required for market conduct purposes.	May 1, 2013	Regulated entities and persons who need to know what records are required to be produced for examinations.	Ongoing	Anticipate promulgation by 06/01/2014. Included in the 2014 Regulatory Agenda.
Insurance	6-4-1, Privacy Of Consumer Financial And Health Information	10-1-108, 10-1-109, 10-5-117, 10-16-109, 10-16-401(4)(o) , C.R.S.	Govern the treatment of nonpublic personal health and financial information about individuals by all licensees of the CO DOI.	May 1, 2013	Insurance companies, Health Care Providers, Benefits Administrators, Licensees, Consumers	Ongoing	Anticipate promulgation by 09/01/2014. Included in the 2014 Regulatory Agenda.
Insurance	6-4-2, Standards for Safeguarding Customer Information	10-1-109, 10-16-109, 10-16-401(4)(o) , C.R.S.	Establish standards for developing and implementing administrative, technical and physical safeguards to protect the security, confidentiality and integrity of customer information.	May 1, 2013	Insurance companies, Health Care Providers, Benefits Administrators, Licensees, Consumers	Ongoing	Anticipate promulgation by 09/01/2014. Included in the 2014 Regulatory Agenda.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	5-1-12, Concerning Warranties and Service Contracts	10-1-109, C.R.S.	Establish a distinction between a written agreement that is an insurance contract and a written agreement that meets the definition of a written warranty or service contract, and is not subject to regulation by the Division of Insurance.	May 1, 2013	Consumers and Warranty/Service Contract issuers	Adopted 01/22/2013 and effective 04/01/2013.	
Insurance	4-1-14, Military Sales Practices	10-1-109, 10-7-116, C.R.S.	Set forth standards to protect active duty service members of the United States Armed Forces from dishonest and predatory insurance sales practices by declaring certain identified practices to be false, misleading, deceptive or unfair.	June 1, 2013	Producers/Agents/Brokers, Insurance Companies/Carriers, Military personnel	Not adopted.	Changes not required. Regulation consistent with current NAIC model.

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	1-1-9, Exceptions to Electronic Rate Filings	10-1-109, 10-4-401, 10-16-107(1) , C.R.S.	Prescribe the format for electronic rate filings with the DOI, and set forth the circumstances that would be considered an emergency exemption situation for carriers.	June 1, 2013	Insurance Companies/Carriers	Adopted 01/02/2013 and effective 04/01/2013.	Numerous meetings with health carriers in early 2013 in anticipation of filings for 2014.
Insurance	4-1-4, Replacement of Life Insurance or Annuity Contracts	10-1-109, 103-1110(1) , C.R.S.	Regulate activities of insurers and producers with respect to the replacement of existing life insurance and annuities; protect interests of life insurance and annuity purchasers by establishing minimum standards of conduct to be observed in replacement or financed purchase transactions; assure purchasers receive adequate information for decision making; reduce opportunity for misrepresentation	June 1, 2013	Insurance Companies/Carriers, Producers/Agents/Brokers, Consumers	Adopted 01/22/2013 and effective 04/01/2013.	

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Insurance	4-1-15, Preneed Life Insurance Minimum Mortality Standards for Determining Reserve Liabilities and Nonforfeiture Values	10-1-109, and 10-7-313.7, C.R.S.	Establish minimum mortality standards for preneed products.	June 1, 2013	Industry	In process and ongoing	Anticipate promulgation of regulation for a March 1, 2014 effective date. Included in 2014 Regulatory Agenda.
Insurance	1-2-9, Fees Charged by Producers	10-1-109, C.R.S.	Implement rules which prohibit producers from charging insurance applicants and policyholders certain fees for which they are already compensated through commissions; clarify which fees may be charged.	June 1, 2013	Consumers  Producers and Insurance companies/carriers	In process and ongoing.	Anticipated promulgation for effective date of 03/01/2014. Included in 2014 Regulatory Agenda.
Insurance	Concerning Preneed Contract Sellers	10-15-112, C.R.S.	Specify the type of annuity used to fund preneed funeral contracts; require advisory notifications to the consumer about annuities.	June 1, 2013	Consumers; Insurance companies, producers, brokers, agents authorized to sell annuities; and preneed contract sellers that use annuities to fund preneed contracts.	On-going.	Follow-up to determine if regulation needs to be promulgated by 06/01/2014. Included in 2014 Regulatory Agenda.



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Insurance	5-1-11, Mass Merchandising of Property and Casualty Insurance	10-1-109, C.R.S.	Define mass merchandising of insurance products and set forth the guidelines for such marketing; simplify the rule and to remove out of date and unnecessary requirements.	June 1, 2013	Insurers writing property and casualty insurance, consumers	Not adopted.	Anticipate promulgation for effective date of 6/1/2014. Included in 2014 Regulatory Agenda.
Insurance	4-6-9, Concerning Conversion Coverage (Repeal)	10-16-108, C.R.S.	Provide carriers with consistent rules to follow.	July 1, 2013	Consumers and health insurance companies/carriers	Adopted 09/10/2013 for an 11/01/2013 effective date.	Circulated to consumer advocacy groups and insurance companies/carriers prior to noticing [external review].
Insurance	1-1-2, Public Adjuster Representation Contracts	10-1-109, 10-2-417, C.R.S.	Prevent unfair settlements of claims by providing a 72 hour "cooling off" period for insureds suffering casualty losses.	September 1, 2013	Consumers	In process – to be repealed effective 01-01-2014.	Replaced by Regulations 1-2-4, 1-2-10, and 1-2-19 to be effective 01/01/2014. New regulations circulated to stakeholders prior to noticing and for hearing. Included in 2014 Regulatory Agenda.
Insurance	1-2-12, Concerning Public Insurance Adjusters	10-1-109, 10-2-417, 10-3-1110, C.R.S.	Specify the terms and conditions for licensing public insurance adjusters, and define public insurance adjuster.	September 1, 2013	Consumers, public adjusters	In process – effective 01-01-2014.	Replaced by Regulations 1-2-4, 1-2-10, and 1-2-19 to be effective 01/01/2014.

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Insurance	4-1-12, Concerning the Disclosure Requirements for Annuity Transactions	10-1-109, 10-3-1110, C.R.S.	Provide standards and methods for disclosure of certain minimum information about annuity contracts to protect consumers and foster consumer education.	September 1, 2013	Consumers; Producers/agents/brokers and carriers	Not adopted.	Evaluating to determine whether changes need to be made to current rule. Included in 2014 Regulatory Agenda.
Insurance	4-6-8, Concerning Small Employer Health Plans	10-16-105, C.R.S.	Provide rules for carriers and producers when selling and issuing small group plans.	October 1, 2013	Small employer groups, insurance companies/carriers and producers/agents/brokers	Adopted 08-21-2013 for effective date of 10-15-2013.	Consumer Advocacy groups and insurance carriers provided draft for external review prior to noticing, and Division received comments during rulemaking which were considered prior to promulgation.
Insurance	4-6-12, Mandatory Coverage of Mental Illnesses	10-16-104 (5) and (5.5) , C.R.S.	Conform and harmonize state law and regulation with federal requirements.	October 1, 2013	Consumers seeking coverage of health services for mental health conditions; all Payor Claims Database under CIVHC	Scheduled for rulemaking hearing on 11/15/2013 to be effective 01/15/2014.	Consumer advocacy groups and insurance carriers provided draft for external review prior to noticing. Included in 2014 Regulatory Agenda.

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Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	4-6-3, Concerning CoverColorado Standardized Notice Form and Eligibility Requirements (Repeal)	10-16-107, 10-16-109, C.R.S.	Specify standardized notice requirements to notify individuals of eligibility for CoverColorado; establish Insurance companies/carriers will not have to pay the CoverColorado assessment; eliminate unclaimed property fund.	January 1, 2014	Insurance companies/carriers	Noticed for hearing on 11/01/2013 for effective date of 01/01/2014.	Repeal necessary due to CoverColorado program being closed to new enrollees as of 12/15/2013. Included in 2014 Regulatory Agenda.
Insurance	4-6-11, CoverColorado Standardized Notice Form To Be Used to Notify Certain Individuals, Eligible for Medicare, Eligibility for CoverColorado (Repeal)	10-16-107, 10-16-109, C.R.S.	Standardize notice requirements to be used to notify certain individuals, eligible for Medicare, of their eligibility for a CoverColorado coordination plan; establish Insurance Companies/carriers will not have to pay the CoverColorado assessment; eliminate unclaimed property fund.	January 1, 2014	Insurance Companies/carriers	Noticed for hearing on 11/01/2013 for effective date of 01/01/2014.	Repeal necessary due to CoverColorado program being closed to new enrollees as of 12/1/2013. Included in 2014 Regulatory Agenda.
Insurance	4-2-28, Payment of Early Intervention Services for Children Eligible for Benefits Under Part C of the Federal "Individual with Disabilities Education Act" (Revisions)	10-16-104(1.3) , C.R.S.	Provide carriers with rules to follow when using the CO Dept. of Human Services trust payment process for the early intervention mandated coverage.	TBD	Families with children requiring early intervention services and the State of CO as it funds the federally required early intervention services not covered by the trust funds. Health carriers.	Being noticed for rulemaking hearing on 11/15/2013 to be effective 01/15/2014.	Consumer advocacy groups and insurance carriers provided draft for external review prior to noticing of regulation for rulemaking hearing. Included in 2014 Regulatory Agenda.

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Insurance	1-2-4, Concerning Education Requirements for Licensed Insurance Producers	10-1-109, 10-2-104, 10-2-301, 10-19-113.7, C.R.S.	Add education requirements for public adjusters to existing regulation for other insurance producers		Public adjusters, insurance companies, consumers	Adopted 9/23/2013, effective 1/1/2014.	Draft amendments provided to stakeholders including public adjuster organizations and property and casualty carrier associations prior to noticing for hearing.
Insurance	1-2-10, Concerning the Regulation of Insurance Producers and Public Adjusters by the Colorado Division of Insurance	10-1-109, 10-2-104, 10-2-407, 10-2-413, 10-2-417, 10-16-414, C.R.S.	Establish terms and conditions for insurance producers including public adjusters.		Public adjusters, insurance companies	Adopted – 9/23/2013, effective 1/1/2014.	NEW – Amendments necessary because of the adoption of HB 13-1062. Draft amendments provided to stakeholders including public adjuster organizations and property and casualty carrier associations prior to noticing for hearing.

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Insurance	1-2-19, Contract and Record Retention Rules for Public Adjusters	10-1-109, 10-2-417, C.R.S.	Set forth requirements and standards for contracts between a public adjuster and an insured, for retention of records by a public adjuster, and for evidence of financial responsibility of a public adjuster through a surety bond executed and issued by an insurer.		Public adjusters, insurance companies, consumers	Adopted 9/28/13, effective 1/1/2014.	NEW –Amendments necessary because of the adoption of HB 13-1062. Draft amendments provided to stakeholders, including public adjuster organizations and property and casualty carrier associations prior to noticing for hearing.
Insurance	3-1-7, Regulation to Define Standards and Commissioner’s Authority for Companies Deemed to be In Hazardous Financial Condition	10-1-109, 10-3-201(1)(b), 10-6-129, 10-14-505, 10-16-109, C.R.S.	Set forth the standards used to identify financially at-risk insurers.		Insurance companies, consumers	Adopted 3/11/2013, effective 5/1/2013.	NEW—unanticipated legislation.
Insurance	3-1-11, Risk-Based Capital for Insurers	10-1-109, 10-3-201(1)(b), 10-6-129, 10-14-604, C.R.S.	Establish standards for the minimum capital and surplus requirements to be maintained by insurers, captive insurers, and fraternal benefit societies.		Insurance companies, captive insurers, fraternal benefit societies.	Adopted 6/14/2013, effective 8/1/2013.	NEW—unanticipated legislation.

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Insurance	3-1-12, Risk-Based Capital for Health Organizations	10-16-301(3), 10-16-411(2), C.R.S.	Establish standards for the minimum capital and surplus requirements to be maintained by health organizations.		Health organizations including insurance companies and health maintenance organizations.	Adopted, 6/14/2013, effective 8/1/2013.	NEW—unanticipated legislation.
Insurance	3-5-3, Concerning Certificate of Taxes Due – Alternative Documentation Permitted	10-1-109, 10-11-122, C.R.S.	Set requirements for alternative documentation which can be relied on during the period when county treasurers are certifying tax rolls.		Title insurers, title agencies, consumers	Adopted 8/9/2013, effective 10/1/2013	NEW -- Regulation necessary because of the adoption of SB13-119. Draft regulation provided to title insurers, title insurance association, and Division's Title Advisory Council prior to hearing.
Insurance	4-2-1, Replacement of Individual Accident and Sickness Insurance	10-1-109, 10-3-1110, C.R.S.	Amend regulation to align with requirements of federal law and HB13-1266		Health insurers, consumers	Adopted 9/0/13, effective 11/1/2013	NEW -- Health insurer's association and consumer advocacy organization provided draft of amendments prior to noticing regulation for hearing.

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Insurance	4-2-2, Hospital Indemnity and Disability Income Policies	10-1-109, 10-16-109, C.R.S.	Update regulation to align with requirements of federal law and HB13-1266, and correct statutory references		Health insurers, consumers	Adopted 10-8-2013, effective 12/1/2013	NEW – Regulation updated to align with requirements of federal law and HB13-1266 including correction of statutory references due to substantial revisions to health insurance statutes.
Insurance	4-2-3, Advertisements of Accident and Sickness Insurance	10-1-109, 10-3-1110, C.R.S.	Update regulation to align with requirements of federal law and HB13-1266, correct statutory references, and update provisions		Health insurers, consumers	Adopted 8/12/2013, effective 10/1/2013	NEW -- Health insurer's association and consumer advocacy organization provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-9, Concerning Non-Discriminatory Treatment of Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV) Related Illness by Life and Health Carriers	10-1-109, 10-3-1104(30(d)(II), 10-3-1110, C.R.S.	Update regulation to align with requirements of federal law and HB13-1266, correct statutory references, and update provisions		Health insurers, consumers	Adopted 9/23/2013, effective 11/15/2013	NEW -- Health insurer's association and consumer advocacy organization provided draft of amendments prior to noticing regulation for hearing.

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Insurance	4-2-11, Rate Filing Submissions for Health Insurance	10-1-109, 10-3-1110, 10-16-107, 10-16-109, 10-18-105(2), C.R.S.	Establish health insurance premium rate filing requirements.		Health insurers, consumers	Adopted 11/23/2012, effective 2/1/2013	NEW -- Health insurer's association and consumer advocacy organization provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-11, Rate Filing Submissions for Health Insurance, Limited Benefit Plans, Excess Loss Insurance, Sickness and Accident Insurance, Other Than Health Benefit Plans	101-1-109, 10-3-1110, 10-16-107, 10-16-109, 10-18-105(2), C.R.S.	Ensure that health insurance rates on limited benefit plans, excess loss insurance, sickness and accident insurance, other than health benefit plans, by establishing the requirements for rate filings.		Health insurers, consumers	Adopted 8/9/2013, effective 10/1/2013	NEW -- Health insurer's association and consumer advocacy organization provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-17, Prompt Investigation of Health Claims Involving Utilization Review and Denial of Benefits and Rules Related to Internal Claims and Appeals Processes	10-1-109, 10-3-1110, 10-16-109, 10-16-113(2) and (10), C.R.S.	Update guidelines for carrier compliance with utilization and internal claim review processes, including rescissions, cancellations and denial of coverage based on an eligibility determination; align with federal law, HB13-1266		Health insurers, consumers	Adopted 10/8/2013, effective 12/1/2013	NEW -- Health insurer's association and consumer advocacy organization provided draft of amendments prior to noticing regulation for hearing



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Insurance	4-2-20, Concerning the Colorado Supplement to the Summary of Benefits and Coverage Form	10-1-109, 10-16-108.5(11)(b), 0-16-109, C.R.S.	Update requirements for Colorado Supplement to the federally required Summary of Benefits and Coverage. Update regulation to align with federal law and HB 13-1266 and correct statutory references.		Health insurers, consumers	Adopted 9/10/2013, effective 11/1/2013	NEW -- Health insurer's association and consumer advocacy organization provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-21, External Review of Benefit Denials of Health Coverage Plans	10-1-109, 10-16-109, 10-16-113.5(4)(d), C.R.S.	Update standards for external review process of denied health insurance claims. Update regulation to align with federal law and HB13-1266 and correct statutory references.		Health insurers, consumers	Adopted 10/8/2013, effective 12/1/2013	NEW -- Health insurer's association and consumer advocacy organization provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-22, REPEAL, Insurer Assessments for CoverColorado	10-1-109, 10-8-520, 10-8-530(1.5), C.R.S.	Repeal regulation on insurer assessments for CoverColorado due to program's termination.		Health insurers, self-funded employer health plans, consumers, CoverColorado members	Adopted 10/8/2013, effective 1/1/2014	NEW -- Health insurer's association and consumer advocacy organization provided draft of amendments prior to noticing regulation for hearing.

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<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>	<b>Status -Adopted (Date) -Not Adopted -On-Going</b>	<b>Comments (Including Stakeholder Meetings, etc.)</b>
Insurance	4-2-23, Procedure for Provider-Carrier Dispute Resolution	10-1-109, 10-3-1110, 10-16-109, 10-16-708, C.R.S.	Update regulation on provider-carrier dispute resolution requirements to align with federal law and HB13-1266, and correct statutory references.		Health insurers, consumer, health care providers	Adopted 10/22/2011, effective 12/15/2013.	NEW -- Health insurer's association, consumer advocacy organizations, and health care provider groups provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-29, Concerning the Rules for Standardized Cards Issued to Persons Covered by Health Benefit Plans	10-1-109, 10-16-135, C.R.S.	Update regulation on standardized cards issued to consumers to align with federal law and HB 3-1266, and correct statutory references.		Health insurers, consumers, health care providers	Adopted 10/22/2013, effective 12-15/2013.	NEW -- Health insurers association, consumer advocacy organizations, and provider groups provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-30, Concerning the Rules for Complying with Mandated Coverage of Hearing Aids and Prosthetics	10-1-109, C.R.S.	Update regulation on mandated coverage of hearing aids and prosthetics to align with federal law and HB13-1266, and correct statutory references.		Health insurers, consumers, health care providers	Adopted 10/22/2013, effective 12/15/2013.	NEW -- Health insurers association, consumer advocacy organizations, and provider groups provided draft prior to noticing hearing.

**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	4-2-31, Annual Health Reporting and Data Retention Requirements	10-1-109, 10-3-109, 10-16-111(4), 10-16-119(3), 10-16-134, C.R.S.	Update regulation to incorporate limitations on carriers required to report.		Health insurers	Adopted 9/23/2013, effective 11/15/2013	NEW – Regulation updated due to enactment of HB13-1223.
Insurance	4-2-37, Required Information for Carriers to Obtain on All Full-Length Applications for Individual Health Benefit Plans	10-1-109, 10-16-105.2(1.5), C.R.S.	Amend regulation to align with federal law and HB 13-1266, and correct statutory references.		Health insurers, employers, consumers	Adopted 9/10/2013, effective 11/1/2013	*NEW -- Health insurers association, and consumer advocacy organizations, provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-39, Concerning Premium Rate Setting for Individual, Small and Large Group Health Benefit Plans	10-1-109(1), 10-16-104.9, 10-16-107, 10-16-109, C.R.S.	Provide guidance to carriers to implement the requirements of HB 13-1266.		Health insurers, consumers	Adopted 8/13/13, effective 10/1/2013.	NEW -- Health insurer's association and consumer advocacy organizations provided draft of regulation prior to noticing regulation for hearing.

**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	4-2-40, Concerning the Elements of Certification for Certain Limited Benefit Plans, Credit Life and Health, Preneed Funeral Contracts, Excess Loss Insurance Forms, and Sickness and Accident Insurance, Other than Health Benefit Plans	10-1-109(1), 10-3-1110, 10-15-105(1)(b)(I),(II), (III), 10-16-109, 10-16-107(2), 10-16-107.2(1),(2),(3), 10-16-107.3(1)(b), 0-16-119(1), C.R.S.	Set rules applicable to the filing of new policy forms, new policy form listings, annual reports of policy forms and certifications of policy forms and contracts, other than health benefit forms.		Health insurers, consumers	Adopted 8/12/13, effective 10/1/2013.	NEW -- Health insurer's association and consumer advocacy organizations provided draft of regulation prior to noticing regulation for hearing.
Insurance	4-2-41, Concerning the Elements for Form Filings for Health Benefit Plans and Certain Dental Coverage Forms and Contracts	10-1-109(1), 10-3-1110, 10-16-107.2(3), 10-16-107.3(1)(b), 10-16-109, C.R.S.	Set rules applicable to the form filing requirements for health benefit plans and stand-alone pediatric dental plans.		Health benefit plans, dental plans, consumers	Adopted 8/12/2013, effective 10/1/2013.	NEW -- Health insurers association, and consumer advocacy organizations, provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-42, Concerning Essential Health Benefits	10-1-109, 10-16-103.4, 10-16-109, C.R.S.	Establish rules for the required inclusion of the essential health benefits in individual and small group plans, to align with federal law and HB13-1266.		Health benefit plans, dental plans, consumers, health care providers	Adopted 8/9/2013, effective 10/1/2013	NEW -- Health insurers association, consumer advocacy organizations, and provider groups provided draft prior to noticing regulation for hearing.

**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	4-2-43, Enrollment Periods Relating to Individual and Group Health Benefit Plans	10-1-109, 10-16-105(2)(b), 10-16-105.7(3)(c), 10-16-109, C.R.S.	Establish rules governing enrollment periods for individual and group health benefit plans in accordance with federal law and HB 13-1266.		Health benefit plans, dental plans, consumers, health care providers	Adopted 9/20/2013, effective 11/1/2013	NEW -- Health insurers association, consumer advocacy organizations, and provider groups provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-44, Transition of Individual Health Benefit Plans, Basic and Standard Health Benefit Plans, Business Group of One Plans, and Conversion Plans	10-1-109, 10—16-105.1(6)(b)(I), 10-16-105(7.2)(2012), 0-16-105.7(7)(1)(e), 10-16-105.7(3)(c), 10-16-109, C.R.S.	Set rules for the transition of policyholders covered under individual health benefit plans, basic and standard health benefit plans, business group of one plans, and conversion plans to the appropriate individual or small group health benefit plan in accordance with HB 13-1266 to align with federal law.		Health benefit plans, dental plans, consumers	Adopted 9/10/2013, effective 11/1/2013	NEW -- Health insurers association, and consumer advocacy organizations, provided draft of amendments prior to noticing regulation for hearing.
Insurance	4-2-45, Uniform Individual and Small Group Health Benefit Plan Applications	10-1-109, 10-16-107.5(1), 01-16-109, C.R.S.	Set the uniform applications for use by individual and small group health benefit plans.		Health benefit plans, dental plans, small employers, consumers	Effective 10/15/2013	NEW –Association and consumers provided draft prior to for hearing.

**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	4-2-46, Concerning Premium Rates Setting for Grandfathered Individual, Small Group, and Large Group Health Benefit Plans and Student Health Coverage	10-1-109(10, 10-16-107, 10-16-109, C.R.S.	Establish and implement rules for setting premiums for grandfathered individual, small group and large group plans.		Health benefit plans, student plans, consumers	Adopted 10/8/2013, effective 12/1/2013	NEW -- Health insurer's association and consumer advocacy organizations provided draft of regulation prior to noticing regulation for hearing.
Insurance	4-4-4, Concerning Long-Term Care Partnership Program	10-1-109, 25.5-1-303, C.R.S.	To update the rules and assist in the development of the Colorado Long-Term Care Partnership Program.		Long term care insurance providers, consumers	Adopted 12/11/2012, effective 2/1/2013	NEW -- Long term care insurance producers were provided a draft of amendments prior to noticing the regulation for hearing.
Insurance	4-6-5, Concerning Small Employer Group Health Benefit Plans, the Basic and Standard Health Benefit Plans, and Preventive Services	10-1-109, 10-16-105(7.2), 10-16-108.5(8), 10-16-109, C.R.S.	Incorporate requirements of federal law and align state requirements with federal law and HB 13-1266, correct statutory references and update regulation.		Health insurers, consumers, providers	Adopted 9/10/2013, effective 11/1/2013	NEW -- Health insurers association, consumer advocacy organizations, and provider groups provided draft of amendments prior to noticing regulation for hearing.

**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	4-9-2, Credit Insurance	10-1-109, 101-10-109(2.5)(c), 10-10-114, C.R.S.	Update regulation to implement component rating and provide standards to enforce statutory requirements on credit insurance.		Consumers, credit insurers	Adopted 11/15/2012, effective 1/1/2013.	NEW – regulation updated to establish rates and components for 2013.
Insurance	4-9-2, Credit Insurance	10-1-109, 10-10-109(2.5)(c), 10-10-114, C.R.S.	Update regulation to implement component rating and provide standards to enforce statutory requirements on credit insurance.		Consumers, credit insurers	Adopted 10/8/2013, effective 1/1/2014.	NEW – Regulation updated to establish rates and components for 2014.
Insurance	5-1-18, Concerning the Elements of Certification for Certain Property and Casualty, Credit, and Excess Loss Forms and Contracts	10-1-109, 10-3-1110, 10-4-419, 10-4-633, 10-4-633.5, 10-10-109, and 10-16-109, C.R.S.	Update regulation to conform to Secretary of State formatting and generally update regulation.		Property and casualty insurance carriers	Adopted 8/9/2013, effective 10/1/2013	NEW – Regulation updated to accommodate changes made in other regulations.
Insurance	5-3-3, Concerning Workers' Compensation Deductible Policies in Excess of \$10,000	10-1-109(1) and (2), C.R.S.	Increase large deductible amount from \$5,000 to \$10,000 and make other changes to update regulation.		Workers' compensation insurance carriers, employers	Adopted 8/9/2013, effective 10/1/2013	NEW -- Regulation updated to accommodate changes made in other regulations.

**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	5-3-5, Workers' Compensation Deductible Reimbursement	8-44-111 and 10-1-109, C.R.S.	Raise deductible for reporting of losses from \$5,000 to \$10,000 and other changes to update regulation.		Workers' compensation insurance carriers, employers	Adopted 8/9/2013, effective 10/1/2013	NEW -- Regulation updated to accommodate changes made in other regulations.
Insurance	6-5-1, Concerning the Reporting of Suspected Insurance Fraud	10-1-109, 0-4-1003, C.R.S.	Update regulation to reflect statutory changes.		Insurance companies, secondary reporting entities	Adopted 9/3/2013, effective 11/1/2013	NEW – Regulation updated due to enactment of HB13-1262.
Insurance	13-E-01, Emergency Regulation, Rate Filing Submissions for Limited Benefit Plans, Stop Loss Insurance, Sickness, and Accident Insurance, Other than Health Benefit Plans	10-1-109, 10-3-1110, 10-16-107-10-16-109, 10-105(2), C.R.S.	To implement the requirements of HB 13-1266 to ensure that health insurance rates on limited benefit plans, stop loss insurance, sickness and accident insurance, other than health benefit plans are filed in accordance with the requirements for rate filings.		Insurance carriers, consumers	Adopted 6/14/2013, effective 6/15/2013.	NEW – Emergency regulation due to enactment of HB13-1266.
Insurance	13-E-02, Emergency Regulation, Concerning Premium Rate Setting for Individual, Small and Large Group Health Benefit Plans	10-1-109(1), 10-16-104.9, 10-16-107, and 10-16-109, C.R.S.	To implement the requirements of HB13-1266 with regard to rate filing requirements for health benefit plans.		Insurance carriers, consumers	Adopted 6/20/2013, effective 6/20/2013.	NEW – Emergency regulation due to enactment of HB13-1266.



**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	13-E-03, Emergency Regulation, Advertisements of Accident and Sickness Insurance	10-1-109, 10-3-1110, C.R.S.	To establish minimum criteria to assure proper and accurate description and to protect prospective purchasers with respect to the advertisement of accident and sickness insurance.		Health insurance carriers, consumers	Adopted 6/20/2013, effective 6/20/2013.	NEW – Emergency regulation due to enactment of HB13-1266.
Insurance	13-0E-04, Emergency Regulation, Concerning the Elements of Certification for Certain Property and Casualty, Credit and Excess Loss Forms and Contracts	10-1-109, 10-3-1110, 10-4-419, 10-4-633, 10-4-633.5, 10-10-109, 10-16-119, C.R.S.	To establish rules for filing of property and casualty and credit forms and contract that include, but are not limited to Family Medical Leave Act, unemployment, credit property, excess loss insurance new policy forms, new policy form listings, annual reports of policy forms, and certifications of policy forms.		Property and casualty, credit and excess loss carriers	Adopted 6/18/2013, effective 6/18/2013.	NEW – Emergency regulation due to enactment of HB13-1266.

**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	13-E-05, Emergency Regulation, Concerning the Elements of Certification for Certain Limited Benefit Plans, Credit Life and Health, Preneed Funeral Contracts, Excess Loss Insurance Forms, and Sickness and Accident Insurance, other than Health Benefit Plans	10-1-109(1), 10-3-1110, 10-15-105(1)(b)(I),(II),(III),10-16-109, 10-16-107(2), 10-16-107.2(1),(2)(3), 10-16-107.3(1)(b), 10-16-119, C.R.S.	Establish rules for the filing of new policy forms, new policy form listings, annual reports of policy forms, and certification of policy forms and contracts, other than health benefit plan forms.		Carriers	Adopted 6/20/2013, effective 6/20/2013.	NEW – Emergency regulation due to enactment of HB13-1266.
Insurance	13-E-06, Emergency Regulation, Concerning Essential Health Benefits	10-1-109, 10-16-103.4, 10-16-109, C.R.S.	Establish rules for the required inclusion of the essential health benefits in the individual and small group health benefit plans in alignment with federal law and HB13-1266.		Health insurance carriers, consumers, providers	Adopted 6/25/2013, effective 6/25/2013.	NEW – Emergency regulation due to enactment of HB 13-1266.
Insurance	13-E-07, Emergency Regulation, Concerning the Elements for Form Filings for Health Benefit Plans and Certain Dental Coverage Forms and Contracts	10-1-109(1), 10-3-1110, 10-16-107(2.3), 10-16-107.3(1)(b), 10-16-109, C.R.S.	Establish rules applicable to form filing requirements for health benefit plans and stand-alone dental plans in alignment with federal law and HB113-1266.		Health and dental insurance carriers, consumers, providers	Adopted 6/28/2013, effective 6/28/2013.	NEW – Emergency regulation due to enactment of HB 13-1266.

**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
Insurance	13-E-08, Emergency Regulation, Concerning the Elements of Certification for Certain Forms and Contracts	10-1-109, 10-4-419, 10-4-633, 10-4-633.5, 10-15-105, 10-16-102(2), 10-16-107(2), 10-16-107.2, 10-16-107.3, 10-16-119, C.R.S.	Establish rules applicable to the filing of new policy forms, new policy form listings, annual reports of policy forms, and certifications of policy forms.		Carriers, consumers	Adopted 6/28/2013, effective 6/28/2013.	NEW – Emergency regulation due to enactment of HB13-1266.
Insurance	13-E-09, Emergency Regulation, Enrollment Periods Relating to Individual and Group Health Plans	10-1-109, 10-16-105(2)(b), 10-16-105.7(3)(c), 10-16-109, C.R.S.	Establish rules governing enrollment periods for individual and group health benefit plans to align with federal law and HB13-1266.		Health and dental Carriers, consumers	Adopted 7/5/2013, effective 7/5/2013.	NEW – Emergency regulation due to the enactment of HB 13-1266.
Insurance	13-E-10, Emergency Regulation, Transition of Individual Health Benefit Plans, Basic and Standard Health Benefit Plans, Business Groups of One Plans, and Conversion Plans	10-1-109, 10-16-105.1(6)(b)(I), 0-16-105(7.2)[2012], 10-16-105.7(1)€, 0-16-105.7(3)(c), and 10-16-109, C.R.S.	Establish rules for transition of policyholders covered by individual health plans issued March 23, 2010 - December 31, 2013, basic and standard plans, business group of one health benefit plans, and conversion coverage plans to the appropriate individual or small group plans		Health and dental carriers, small businesses, Business groups of one, consumers	Adopted 7/5/2013, effective 7/5/2013.	NEW – Emergency regulation due to the enactment of HB13-1266.

**Regulatory Agenda Report 2013 - Insurance**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Insurance	13-E-11, Emergency Regulation, Concerning Premium Rate Setting for Grandfathered Individual, Small Group, Large Group Health Benefit Plans, and Student Health Coverage	10-1-109(1), 10-16- 107, 10-16-109 [2012]	Establish and implement rules for setting premiums for grandfathered individual, small group and large group plans.		Health and dental carriers, employers, consumers	Adopted 9/16/2013, effective 9/16/2013.	NEW – Emergency regulation due to the enactment of HB 13-1266.

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
<b>Public Utilities Commission</b>							
Telecom	4 CCR 723-2	Telecom Regulatory Reform Effort 40-15 et al	Continue the Commission's telecom reform by making changes to the regulatory scheme for competitive areas of the state; managing the high cost fund; and updating the rates for intrastate access charges. Also the rules capped the intrastate access charges. All interested stakeholders participated in this rulemaking as well as through the legislative process and a prior investigatory proceeding.	Prior to December 31, 2013	Telecommunications providers in CO; telecommunications customers.	Adopted: Effective in June 2013.	Proceeding No. 12R-0862T made revisions to the telecommunications rules to define effective competition areas and to design a lesser regulatory scheme for those areas.

**Regulatory Agenda Report 2013 – Public Utilities Commission**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
Telecom	4 CCR 723-2-2800-2819	Low Income Telephone Assistance  40-3.4; 40-3-106 and 40-15-503.5, CRS	Statutory change based on new national eligibility criteria.	Prior to October 31, 2013	DHS; Customers of LITAP; and carriers who provide the service.	Adopted: Effective November 2013.	SB13-194 Repealed the Low Income Telephone Assistance Program. A NOPR was issued July 15, 2013 in Proceeding No. 13R-0801T to remove the LITAP rules. Extensive outreach was accomplished by DHS and the local carriers.
Telecom	4 CCR 723-2-2187	Universal Service Fund - Eligibility Criteria	Revision of reporting information and changes to the designation of telecom carriers for the federal high cost funding and low income funding due to 2011-2012 federal reform decisions.	Prior to November 30, 2013	Telecom providers who apply for ETC status or are currently receiving federal funding.	No longer needed.	Review of the federal eligibility criteria as approved by the federal OMB negated the need to revise PUC rules.

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
Rail	4 CCR 723-7	Adopt changes from Colorado Transportation Commission and streamlining	Revise Railroad rules to incorporate new Manual on Uniform Traffic Control Devices (MUTCD) cities and definitions adopted by the CO Transportation Commission; clarify Commission procedures.	Notice of Proposed Rule expected 3rd quarter of 2013	Railroads; some Rail Fixed Guideway systems; road authorities including CDOT, counties, cities and towns.	Not begun.	Rulemaking did not occur in 2013 due to increase in the number of rail applications filed.
Transportation	4 CCR 723-6 (Revision)	Regulation of Transportation Service by Motor Vehicles	Amendments to existing rules in the areas of public safety, public interest and consumer protection, and efficiency of processes. Repeal of rules that are duplicative or unnecessarily burdensome.	Effective rules expected end of 11/13	Regulated motor carriers	Ongoing- Commission deliberated 9/17. Issued 10/10. RRR filed 10/30	Public comment accepted at multiple rulemaking hearings. Thousands of written public comments in the record.
Gas Utilities and Pipeline Operators	4 CCR 723-4 (Revision)	Adopt changes from the federal Office of Pipeline Safety, a unit of the Pipeline and Hazardous Materials Safety Administration	Revise gas pipeline safety rules to incorporate changes made to the federal Pipeline safety regulations and delete the definition of 'immediate repair' as not necessary.	Rules were adopted and became effective August 2013	Natural Gas Utilities	Finalized and effective 8/13	Public comments accepted, but only comments were from Xcel Energy

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
Electric Utilities	4 CCR-723-3 (Revision)	Adopt changes required by SB13-282 – Medical Exemption from Tiered Electric Rate Plans 40-3-103.5, CRS	Exempt certain medically qualified customers from tiered electric rates or inverted block rates.	Effective date expected mid 12/13 unless exceptions filed.	Residential customers with multiple sclerosis, epilepsy, quadriplegia or paraplegia or the need for the use of an essential life support device; Electric Utilities with tiered rate plans.	Recommended rules issued 10/23/13. Exceptions not expected	Public oral and written comments received at 8/15 rulemaking hearing
Electric Utilities	4 CCR 723-3 (Revision)	Adopt changes required by SB13-252 – Renewable Energy Standard 40-2-124, CRS	Expand the list of eligible energy resources to include methane from coal mines and synthetic gas through pyrolysis of municipal solid waste. Also eliminate the requirement that a resource must be located in Colorado to qualify for the 'multiplier'. Codify the requirement for wholesale utilities to report compliance with the electric resource standard.	NOPR issued August 21, 2013. Rulemaking on-going	Electric Utilities; Qualifying Retail Utilities; Cooperative Electric Associations; Environmental Associations; Generation and Transmission Associations	Ongoing	Hearing and public comment held before ALJ in Mid-October. Also accepted written comments from public.



**Regulatory Agenda Report 2013 – Public Utilities Commission**

<b>Division Board/Program</b>	<b>Proposed New Rules or Revisions to Existing Rules</b>	<b>Statutory or Other Basis</b>	<b>Purpose</b>	<b>Contemplated Schedule for Adoption</b>	<b>Persons/ Parties Potentially Affected (Positively or Negatively)</b>	<b>Status -Adopted (Date) -Not Adopted -On-Going</b>	<b>Comments (Including Stakeholder Meetings, etc.,)</b>
Electric Utilities	4 CCR 723-3 (Revision)	Adopt changes required by HB13-1292 – Best Value Employment Metrics 40-2-129, CRS	Include Commission consideration of best value employment metrics in requests for a certificate of public convenience and necessity for the construction or expansion of generating facilities including pollution control or fuel conversions	NOPR to be proposed to Commission 4 <sup>th</sup> quarter of 2013	Electric Utilities; Generation and Transmission Associations; utility construction workers	Ongoing -Draft rules provided to Commission	Commission approved NOPR October 23. Public comment will follow once written decision is issued.
Telecom	4 CCR 723-2 (Revision)	Initiated by a Petition filed by DEX Media East, Inc. the publisher for CenturyLink and competitors.	Adopt changes regarding the optional delivery of residential white page listings.	NOPR issued December 2012. Rulemaking on-going	Dex Media, local telecommunications providers; residential telecom customers	Rule issued 9/27/13	Public hearing held 1/28 13. Written and oral comments received by ALJ

**Regulatory Agenda Report 2013 – Real Estate**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
<b>Division of Real Estate</b>							
Board of Real Estate Appraisers	Implementation of HB12-1110 concerning the regulation of appraisal management companies.	12-61-704, C.R.S.	Specify appraisal management company licensure and practice requirements	Prior to July 1, 2013	Appraisal management companies, appraisers, banks, mortgage lenders	Adopted-5/2/2013	A task force was created and included industry participants and the AG's Office.
Board of Real Estate Appraisers	Appraiser licensure and practice requirements	12-61-704, C.R.S.	Adoption of newly created federal standards and changes resulting from the Board's sunset review	Prior to December 31, 2013	Appraisers, including County Assessors	Adopted-5/2/2013, 7/1/2013, 7/11/2013	Stakeholders were the AG and the Appraisal Subcommittee
Real Estate Commission	Subdivision	12-61-114(4), 12-61-114.5, 12-61-406(2.5), C.R.S.	Registration and practice requirements for registered subdivision developers	Prior to December 31, 2013	Registered subdivision developers, real estate brokers, consumers	Not adopted-ongoing.	A task force of industry participants has been created and regularly meets to discuss necessary revisions.
Real Estate Commission	Real estate broker licensure, continuing education and practice requirements	12-61-114(4) and 12-61-114.5, C.R.S.	Clarify requirements for initial and continued licensure, address practice deficiencies	Prior to December 31, 2013	Real estate brokers	Adopted-10/1/2013	The Real Estate Commission's Education Taskforce contributed to revising this rule. This task force is comprised of industry participants.

**Regulatory Agenda Report 2013 – Real Estate**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.)
Real Estate Commission	Commission-approved contracts and forms	12-61-114(4) and 12-61-114.5, C.R.S.	Revise approved forms based on legislative changes and industry submissions	Prior to December 31, 2013	Real estate brokers, loan originators, title companies, attorneys, educators, consumers	Adopted-8/5/2013	A non-rulemaking hearing was held to adopt changes to the Commission-approved contracts. The revisions were completed by the Forms Committee.
Board of Mortgage Loan Originators	Loan originator license and practice requirements	12-61-902.5(2), 12-61-905(10), 12-61-905.1(3), C.R.S.	Revise existing rules pertaining to licensure and practice requirements; promulgate rules as required by the Consumer Finance Protection Bureau (CFPB) and the Dodd-Frank Act; promulgate rules resulting from changes caused by the Board's sunset review	Prior to December 31, 2013	Mortgage loan originators and companies	Adopted-3/20/2013, 9/18/2013, and ongoing	The Board of Mortgage Loan Originators' Education Taskforce contributed to revising the existing rules. This task force is comprised of industry participants.
Conservation Easement Oversight Commission	Easement holder certification requirements	12-61-720(11), C.R.S.	Promulgate rule clarifying the issuance of a conditional certificate for those entities with deficiencies in certification requirements	April 1, 2013	Conservation easement holders	Adopted-2/25/2013	This revision resulted from a recommendation from the Office of the State Auditor.

**Regulatory Agenda Report 2013 - Securities**

Division Board/Program	Proposed New Rules or Revisions to Existing Rules	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Persons/ Parties Potentially Affected (Positively or Negatively)	Status -Adopted (Date) -Not Adopted -On-Going	Comments (Including Stakeholder Meetings, etc.,)
<b>Division of Securities</b>							
Securities	Licensing exemption for business brokers	11-51-704, C.R.S.	Broker-dealer/sales representative exemption for business brokers	Prior to December 31, 2013	Business Brokers	Effective October 15, 2013.	Stakeholder's meeting held August 26, 2013.