



COLORADO

**Department of
Regulatory Agencies**

Colorado Office of Policy, Research &
Regulatory Reform

2025 Sunset Review

Division of Professions and
Occupations



October 15, 2025



COLORADO

**Department of
Regulatory Agencies**

Executive Director's Office

October 15, 2025

Members of the Colorado General Assembly
c/o the Office of Legislative Legal Services
State Capitol Building
Denver, Colorado 80203

Dear Members of the General Assembly:

The Colorado General Assembly established the sunset review process in 1976 as a way to analyze and evaluate regulatory programs and determine the least restrictive regulation consistent with the public interest. Pursuant to section 24-34-104(5)(a), Colorado Revised Statutes (C.R.S.), the Colorado Office of Policy, Research and Regulatory Reform (COPRRR) at the Department of Regulatory Agencies (DORA) undertakes a robust review process culminating in the release of multiple reports each year on October 15.

A national leader in regulatory reform, COPRRR takes the vision of their office, DORA and more broadly of our state government seriously. Specifically, COPRRR contributes to the strong economic landscape in Colorado by ensuring that we have thoughtful, efficient, and inclusive regulations that reduce barriers to entry into various professions and that open doors of opportunity for all Coloradans.

As part of this year's review, COPRRR has completed an evaluation of the Division of Professions and Occupations (Division). I am pleased to submit this written report, which will be the basis for COPRRR's oral testimony before the 2026 legislative committee of reference. The report is submitted in accordance with section 12-20-103(7), C.R.S., which states in part:

[DORA] shall analyze and evaluate the Division and its functions as set forth in this Title 12. [DORA] shall conduct the analysis and evaluation in accordance with section 24-34-104(5) and shall submit its report and recommendations for legislation, if any, in accordance with that section. [DORA] shall initially analyze and evaluate the Division and submit its report by October 15, 2015, and shall analyze and evaluate the Division every 10 years thereafter. This section does not require the repeal of the Division or its functions as specified in this Title 12.

The report discusses the effectiveness of the Division, created in Article 20 of Title 12, C.R.S., in carrying out the intent of the statutes and makes recommendations for statutory changes for the review and discussion of the General Assembly.

To learn more about the sunset review process, among COPRRR's other functions, visit coprrr.colorado.gov.

Sincerely,

Patty Salazar
Executive Director





Division of Professions and Occupations

Background

What is regulated?

The Division of Professions and Occupations (Division) houses and provides administrative support to boards and programs that regulate over 60 professions, occupations and types of businesses.

Why is it regulated?

The regulation provided by the Division protects the public by assuring that regulated individuals and businesses meet certain basic requirements while striving to maintain a fair and competitive marketplace.

Who is regulated?

In fiscal year 23-24, the Division regulated a total of 336,305 individuals and businesses.

How is it regulated?

The authority to regulate the professions and occupations within the Division rests either with the Director of the Division (Director) or with a governing board, depending on the profession, occupation or business type. The Division has centralized some of its regulatory functions in order to improve efficiency and consistency across its programs, such as: licensing, complaint intake, investigations and an expedited settlement process. The Director and the various governing boards within the Division maintain the authority to consider complaints and take enforcement action against licensees pursuant to articulated statutory authority.

What does it cost?

In fiscal year 23-24, the total cost of regulation was \$37,525,749 and there were 203.6 full-time equivalent employees in the Division.

Why is this review being conducted?

The General Assembly scheduled the Division for a review in accordance with the sunset criteria every 10 years, commencing in 2015. Since it did not include a provision to repeal, which would have scheduled the Division to “sunset” unless affirmatively continued by the General Assembly, this report does not contain a continuation recommendation. However, during the course of this sunset review, the staff in the Colorado Office of Policy, Research and Regulatory Reform identified areas where changes should occur, and these recommendations, both statutory and administrative, are reflected in this report.

Key Recommendations

- Clarify that the Occupational Credential Portability Program applies to all internationally trained practitioners regulated by the boards and programs housed within the Division.
- Authorize boards to craft delegation policies that allow them to more efficiently work with the Division to gather information and to take actions that would be ratified at the next board meeting.
- Amend the statute to allow practitioners who receive letters of admonition to request a hearing within 25 days of issuance of the letter of admonition, rather than within 20 days of receipt.

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Background

Sunset Criteria

Enacted in 1976, Colorado's sunset law was the first of its kind in the United States. A sunset provision repeals all or part of a law after a specific date, unless the legislature affirmatively acts to extend it. During the sunset review process, the Colorado Office of Policy, Research and Regulatory Reform (COPRRR) within the Department of Regulatory Agencies (DORA) conducts a thorough evaluation of such programs based upon specific statutory criteria¹ and solicits diverse input from a broad spectrum of stakeholders including consumers, government agencies, public advocacy groups, and professional associations.

Sunset reviews are guided by statutory criteria and sunset reports are organized so that a reader may consider these criteria while reading. While not all criteria are applicable to all sunset reviews, the various sections of a sunset report generally call attention to the relevant criteria. For example,

- In order to address the first criterion and determine whether the program under review is necessary to protect the public, it is necessary to understand the details of the profession or industry at issue. The Profile section of a sunset report typically describes the profession or industry at issue and addresses the current environment, which may include economic data, to aid in this analysis.
- To address the second sunset criterion--whether conditions that led to the initial creation of the program have changed--the History of Regulation section of a sunset report explores any relevant changes that have occurred over time in the regulatory environment. The remainder of the Legal Framework section addresses the fifth sunset criterion by summarizing the organic statute and rules of the program, as well as relevant federal, state and local laws to aid in the exploration of whether the program's operations are impeded or enhanced by existing statutes or rules.
- The Program Description section of a sunset report addresses several of the sunset criteria, including those inquiring whether the agency operates in the public interest and whether its operations are impeded or enhanced by existing statutes, rules, procedures and practices; whether the agency or the agency's board performs efficiently and effectively and whether the board, if applicable, represents the public interest.
- The Analysis and Recommendations section of a sunset report, while generally applying multiple criteria, is specifically designed in response to the fourteenth criterion, which asks whether administrative or statutory changes are necessary to improve agency operations to enhance the public interest.

¹ Criteria may be found at § 24-34-104, C.R.S.

These are but a few examples of how the various sections of a sunset report provide the information and, where appropriate, analysis required by the sunset criteria. Just as not all criteria are applicable to every sunset review, not all criteria are specifically highlighted as they are applied throughout a sunset review. While not necessarily exhaustive, the table below indicates where these criteria are applied in this sunset report.

Table 1
Application of Sunset Criteria

Sunset Criteria	Where Applied
(I) Whether regulation or program administration by the agency is necessary to protect the public health, safety, and welfare.	• Profile of the Division • Legal Framework
(II) Whether the conditions that led to the initial creation of the program have changed and whether other conditions have arisen that would warrant more, less, or the same degree of governmental oversight.	• Legal Framework • Recommendation 1
(III) If the program is necessary, whether the existing statutes and regulations establish the least restrictive form of governmental oversight consistent with the public interest, considering other available regulatory mechanisms.	• Legal Summary • Recommendation 1
(IV) If the program is necessary, whether agency rules enhance the public interest and are within the scope of legislative intent.	• Legal Summary
(V) Whether the agency operates in the public interest and whether its operation is impeded or enhanced by existing statutes, rules, procedures, and practices and any other circumstances, including budgetary, resource, and personnel matters.	• Legal Summary • Division Description and Administration • Recommendations 5 • Administrative Recommendation 1
(VI) Whether an analysis of agency operations indicates that the agency or the agency's board or commission performs its statutory duties efficiently and effectively.	• Division Description and Administration • Recommendations 2, 3, 4 and 6
(VII) Whether the composition of the agency's board or commission adequately represents the public interest and whether the agency encourages public participation in its decisions rather than participation only by the people it regulates.	• Legal Summary • Outreach and Engagement
(VIII) Whether regulatory oversight can be achieved through a director model.	• Not Applicable
(IX) The economic impact of the program and, if national economic information is not available, whether the agency stimulates or restricts competition.	• Profile of the Division

Sunset Criteria	Where Applied
(X) If reviewing a regulatory program, whether complaint, investigation, and disciplinary procedures adequately protect the public and whether final dispositions of complaints are in the public interest or self-serving to the profession or regulated entity.	• Complaint Activity • Disciplinary Activity • Recommendation 5
(XI) If reviewing a regulatory program, whether the scope of practice of the regulated occupation contributes to the optimum use of personnel.	• Licensing • Examination • Recommendation 1
(XII) Whether entry requirements encourage equity, diversity, and inclusivity.	• Licensing • Examination • Recommendation 1
(XIII) If reviewing a regulatory program, whether the agency, through its licensing, certification, or registration process, imposes any sanctions or disqualifications on applicants based on past criminal history and, if so, whether the sanctions or disqualifications serve public safety or commercial or consumer protection interests. To assist in considering this factor, the analysis prepared pursuant to subsection (5)(a) of this section must include data on the number of licenses, certifications, or registrations that the agency denied based on the applicant's criminal history, the number of conditional licenses, certifications, or registrations issued based upon the applicant's criminal history, and the number of licenses, certifications, or registrations revoked or suspended based on an individual's criminal conduct. For each set of data, the analysis must include the criminal offenses that led to the sanction or disqualification.	• Not Applicable
(XIV) Whether administrative and statutory changes are necessary to improve agency operations to enhance the public interest.	• Recommendations 1 to 6 • Administrative Recommendation 1

Sunset Process

Regulatory programs scheduled for sunset review receive a comprehensive analysis. The review includes a thorough dialogue with agency officials, representatives of the regulated profession and other stakeholders. Anyone can submit input on any upcoming sunrise or sunset review on COPRRR's website at coprrr.colorado.gov.

The administrative functions of the Division of Professions and Occupations (Division), as enumerated in Title 12, Colorado Revised Statutes (C.R.S.), are scheduled to undergo a sunset review every 10 years, commencing in 2015. However, the Division is not scheduled to repeal, as is the case in a typical sunset review. Regardless, it is the duty of COPRRR to conduct an analysis and evaluation of the Division pursuant to section 24-34-104, C.R.S.

The purpose of this review is to evaluate the performance of the Division. During this review, the Division must demonstrate that it serves the public interest. COPRRR's findings and recommendations are submitted via this report to the Office of Legislative Legal Services.

Methodology

As part of this review, COPRRR staff interviewed Division staff, practitioners and officials with state business, professional and trade associations; conducted one in-person and two virtual town halls; reviewed Colorado statutes and rules and the laws of other states; and conducted surveys of board members, licensees and business, professional and trade associations.

The major contacts made during this review include, but are not limited to:

- Colorado Academy of Family Physicians,
- Colorado Chiropractic Association,
- Colorado Dental Association,
- Colorado Department of Public Health and Environment,
- Colorado Division of Insurance,
- Colorado Division of Professions and Occupations,
- Colorado Foot and Ankle Society,
- Colorado Funeral Directors Association,
- Colorado Health Care Association and Center for Assisted Living,
- Colorado Medical Society,
- Colorado Nurses Association,
- Colorado Office of the Attorney General,
- Colorado Office of New Americans,
- Colorado Pharmacists Society,
- Colorado Physician Health Program,
- Colorado Professional Insurance Company,
- Colorado Veterinary Medical Association,
- National Association of Long-Term Care Administrator Boards,
- Peer Assistance Services, and
- Utah Division of Professional Licensing.

Between July and September 2025, COPRRR staff conducted four surveys: one survey sent to individuals in industry, professional and trade associations; one survey sent to all of the Division's licensees; and two surveys sent to members of the Division's boards. The industry, professional and trade associations survey was sent to 68 email addresses, and 4 emails were returned as undeliverable. The survey received 3 responses, which represents a 4.7 percent response rate. The licensee survey was sent to 492,724 email addresses, and 4,052 emails were returned as undeliverable. The survey received 19,243 responses, which represents a 4 percent response rate. The first board member

survey was sent to 233 email addresses, and no emails were returned as undeliverable. The survey received 43 responses, which represents an 18.5 percent response rate. The second board member survey was sent to 65 email addresses, and no emails were returned as undeliverable. The survey received 12 responses, which represents an 18.5 percent response rate. Survey results may be found in Appendix C. Please note that no freeform text responses are included in the survey results.

Profile of the Division

In a sunset review, the Colorado Office of Policy, Research and Regulatory Reform (COPRRR) is guided by the sunset criteria located in section 24-34-104(6)(b), C.R.S. The first criterion asks whether regulation or program administration by the agency is necessary to protect the public health, safety, and welfare.

To understand the need for the Division, it is first necessary to understand what professional and occupational regulation is.

The Division of Professions and Occupations (Division) is a consumer protection agency in the Department of Regulatory Agencies that houses and provides administrative support to the boards and director-model programs that regulate over 60 types of practitioners and businesses throughout Colorado.²

For readability purposes, the term “license” is used in a general sense throughout this report to refer to credentials issued by the various registration, certification and licensure programs housed within the Division. The term “licensee” is also used in a general sense to refer to individual practitioners and businesses that hold such credentials.

The various programs within the Division regulate practitioners, such as architects, certified public accountants, doctors, engineers, nurses, hunting outfitters and many more. In some cases, the Division also regulates the business entities where these practitioners work. Appendix A provides complete lists of practitioners and businesses that are regulated by programs within the Division.

The Division houses two types of regulatory programs: director-model programs and board-model programs. Generally, in a director-model program, an administrator oversees the regulatory program and is vested with the licensing, enforcement and rulemaking authority. In a board-model program, a governing board is typically vested with this authority. Appendix B lists, by program type, all of the director-model and board-model programs within the Division.

One important function of professional and occupational regulation is to protect consumers from harm by unqualified individuals. To do this, a regulatory program evaluates the qualifications of applicants and restricts the issuance of licenses to those who meet the minimum requirements necessary to practice safely at the entry level. Typically, entry-level requirements are established in statute. Some examples of qualifications required for licensure include on-the-job training, education, experience and passage of an examination. Depending on the statutory requirements, a regulatory program may also conduct criminal history record checks when evaluating applications for licensure.

² Colorado Department of Regulatory Agencies. *About the Colorado Division of Professions and Occupations*. Retrieved September 5, 2025, from <https://dpo.colorado.gov/About>

Like regulated practitioners, depending on the license type, regulated businesses may also be required to demonstrate a variety of qualifications. Some examples of qualifications that may be required are:

- Direction and oversight by a licensed practitioner,
- Employment of qualified practitioners for certain duties, and
- Evidence of insurance and surety bonds.

Some programs may impose periodic reporting requirements on regulated businesses, and some regulated businesses may also be subject to inspections and audits. Additionally, a program may require regulated businesses to obtain permits to provide certain types of services.

Another important function of professional and occupational regulation is to protect consumers from regulated practitioners and business entities that, while otherwise qualified, have proven to be incompetent, unscrupulous or negligent. To do this, a regulatory program typically reviews and investigates complaints against licensees to determine whether they have violated professional standards. Depending on the type of practice, audits and inspections may also be employed to determine compliance with professional standards.

When regulatory programs uncover instances in which licensees are not practicing safely, they are usually vested with the authority to take enforcement action in order to protect consumers, which may include, among other things, public admonition, additional training, practice monitoring and practice restrictions. For conduct that is especially egregious, regulatory programs typically also have the authority to suspend or revoke a license.

While the primary role of a regulatory program is to protect consumers from unqualified or unsafe practitioners, regulatory programs also rely on various outreach and engagement initiatives to communicate with and solicit information from the public.

For programs that are complaint driven, open communication with the public is essential. Outreach and engagement activities can increase knowledge of and support confidence in regulatory programs. Likewise, when regulatory authority is vested in a governing board whose membership is primarily made up of practitioners of the regulated profession, it is especially important to provide the public with opportunities to attend board meetings.

Open communication with the public is also an important source of information for students, applicants, licensees, educators, employers, consumers, consumer groups, researchers, policy makers, other jurisdictions and professional, occupational and trade associations.

While all states have at least one agency that regulates professions and occupations, the structure of the agency, the location of the regulatory programs and the types of practitioners and businesses regulated vary considerably from state to state.

The ninth sunset criterion questions the economic impact of the program and, if national economic information is not available, whether the agency stimulates or restricts competition.

As state professional and occupational regulation is grounded in the demonstrated need to protect the health, safety and welfare of the public, the Division and its programs perform an essential function in the state economy. Licenses issued by programs in the Division enable qualified individuals and businesses to provide essential services in the fields of health care, public accounting, and construction and design, among others.

In total, programs housed in the Division issue licenses to over 336,000 individuals and businesses that practice in Colorado.³

³ Colorado Department of Regulatory Agencies: Division of Professions and Occupations. *About the Colorado Division of Professions and Occupations*. Retrieved September 5, 2025, from <https://dpo.colorado.gov/About>

Legal Framework

History of Regulation

In a sunset review, the Colorado Office of Policy, Research and Regulatory Reform (COPRRR) is guided by the sunset criteria located in section 24-34-104(6)(b), Colorado Revised Statutes (C.R.S.). The first and second sunset criteria question:

Whether regulation or program administration by the agency is necessary to protect the public health, safety, and welfare; and

Whether the conditions that led to the initial creation of the program have changed and whether other conditions have arisen that would warrant more, less or the same degree of governmental oversight.

One way that COPRRR addresses this is by examining why the Division was established and how it has evolved over time.

When it passed the Administrative Organization Act of 1968 (Act), the General Assembly created the Department of Regulatory Agencies (DORA) and the Division of Registrations, now the Division of Professions and Occupations (Division). The Act carved out the principal departments of the state government and designed an overall administrative structure for the Executive Branch. The Act also relocated numerous existing licensing boards to the Division.

Over the years, the General Assembly has adopted many bills that have shaped the Division. The timeline below highlights some notable changes.

- 1973** – Three bills – Senate Bill 73-45 and House Bills 73-1018 and 73-1025 – gave the Executive Director of DORA oversight over the Division’s licensing and examination procedures and made them responsible for monitoring complaints.
- 1979** – House Bill 79-1560 directed the Division to provide any necessary management and administrative support to its boards and commissions, and Senate Bill 79-264 allowed board members to collect a per diem for their service and to be reimbursed for expenses incurred while fulfilling their official duties.
- 2004** – Senate Bill 04-024 moved the regulatory authority over license renewals and reinstatements from the Executive Director of DORA to the Director of the Division (Director). The bill also established a uniform process to reinstate a license and created a 60-day grace period for licensees who fail to renew their licenses by the expiration date.

-
- 2010** – House Bill 10-1175 vested the Director with the authority to establish, for endorsement applicants, alternative means of demonstrating competency other than work experience.
- 2011** – House Bill 11-1100 required the Director to consider military experience when determining whether applicants qualify for licensure.
- 2012** – House Bill 12-1055 renamed the Division and required COPRRR in DORA to conduct a review of the Division every 10 years, commencing in 2015. Rather than including a typical sunset provision, which would allow for the termination of the sunset agency, this bill required only a review and specified that, unlike other sunset agencies, nothing in the law requires the Division to be reauthorized. Also, House Bill 12-1263 established new guidelines for applicants with a criminal history.
- 2014** – House Bill 14-1183 added a provision requiring the Director to reinstate the expired license of any active military personnel on active duty for at least 30 days.
- 2015** – The Division underwent its first sunset review. The subsequent report resulted in one recommendation to the General Assembly to schedule the Healthcare Professions Profile Program for an independent sunset review, which the General Assembly adopted, and five administrative recommendations.
- 2019** – The General Assembly reorganized the Occupations and Professions Act, or Title 12, C.R.S., which contains the organic statutes for the Division's many programs, for the purpose of creating general provisions that would apply to all or nearly all of the programs within the Division, rather than having the same or similar provisions scattered throughout the various program statutes. Consequently, House Bill 19-1172 created Articles 20 and 30 of Title 12, C.R.S., which contain general provisions fashioned from numerous former sections of Title 12 and Article 34 of Title 24. The general provisions located in Article 30 apply specifically to the regulation of health-care practitioners.

Legal Summary

The third, fourth, fifth and seventh sunset criteria question:

Whether the existing statutes and regulations establish the least restrictive form of governmental oversight consistent with the public interest, considering other available regulatory mechanisms;

Whether agency rules enhance the public interest and are within the scope of legislative intent;

Whether the agency operates in the public interest and whether its operation is impeded or enhanced by existing statutes, rules, procedures, and practices and any other circumstances, including budgetary, resource, and personnel matters; and

Whether the composition of the agency's board or commission adequately represents the public interest and whether the agency encourages public participation in its decisions rather than participation only by the people it regulates.

A summary of the current statutes and rules is necessary to understand whether the current laws are impeding or enhancing the agency's ability to operate in the public interest.

In Colorado, regulatory oversight of various professions and occupations is articulated in the relevant practice acts and in Articles 20 and 30 of Title 12, C.R.S.

This sunset review pertains to the generalized administration of the Division and the support that it provides to the various boards and programs housed within it. As a result, this summary does not address individual programmatic statutory provisions.

For readability purposes, the term "license" is used in a general sense throughout this report to refer to credentials issued by the various registration, certification and licensure programs that are housed within the Division. The term "licensee" is also used in a general sense to refer to individual practitioners and businesses that hold such credentials.

The Division is created in sections 12-20-103, 12-20-202 and 12-20-401, C.R.S. The Director serves as the head of the Division. In some practice acts, the Director is responsible for, among other things, policymaking, rulemaking and imposing discipline on licensees. These programs are commonly referred to as "director-model" programs.

In addition to director-model programs, several of the practice acts establish policy autonomous regulatory boards, generally referred to as "boards" throughout the report, which are responsible for, among other things, rulemaking, policymaking and enforcement. These programs are often referred to as "board-model" programs.

The Division also provides supervision and control of advisory boards located within the Division.⁴ Advisory boards are typically associated with director-model programs.

The Division is responsible for, among other things, providing management and support to the boards housed within it.⁵

⁴ § 12-20-103(2), C.R.S.

⁵ § 12-20-103(2), C.R.S.

The Division may not grant a license to an applicant unless applicable license fees have been paid.⁶

As determined by the Executive Director, in consultation with the regulatory authority, a license may be valid for a minimum of one year and a maximum of three years,⁷ with the exception of a military spouse license, which is valid for six years.⁸ The Director and the boards are authorized to prescribe the requirements for renewal, including continuing education.⁹

Licensees are granted a 60-day grace period, following the expiration of their licenses, in which they may renew their licenses without being sanctioned for practicing without a license.¹⁰ In director-model programs, the Director may take disciplinary action against licensees for violating the 60-day grace period, and in board-model programs, the boards may impose discipline.

Licensees who fail to renew their licenses within the renewal period, including the 60-day grace period, must cease practicing and apply for reinstatement from the regulatory authority.¹¹ When licenses have been expired for two years or more, the licensees must pay all applicable fees and demonstrate competency to the regulatory authority.¹² Demonstration of competency is generally established in each practice act and further defined in rule.

Demonstration of competency includes, but is not limited to:¹³

- Actively licensed and practicing in another state,
- Practicing for a period of time under a restricted license,
- Successfully completing remedial courses, or
- Passing an examination approved by the regulatory authority.

The regulatory programs within the Division are governed by the various practice acts in Title 12 and the rules adopted by the regulatory authorities defined in statute.

⁶ § 12-20-201, C.R.S.

⁷ § 12-20-202(1)(c), C.R.S.

⁸ § 12-20-202(3)(f)(IV)(A), C.R.S.

⁹ § 12-20-202(1)(d), C.R.S.

¹⁰ § 12-20-202(1)(e), C.R.S.

¹¹ § 12-20-202(2)(a), C.R.S.

¹² § 12-20-202(2)(c)(II), C.R.S.

¹³ §§ 12-20-202(2)(c)(II)(A), (B), (C) and (E), C.R.S.

Division Description and Administration

In a sunset review, the Colorado Office of Policy, Research and Regulatory Reform (COPRRR) is guided by sunset criteria located in section 24-34-104(6)(b), Colorado Revised Statutes (C.R.S.). The fifth and sixth sunset criteria question:

Whether the agency operates in the public interest and whether its operation is impeded or enhanced by existing statutes, rules, procedures, and practices and any other circumstances, including budgetary, resource, and personnel matters; and

Whether an analysis of agency operations indicates that the agency or the agency's board or commission performs its statutory duties efficiently and effectively.

In part, COPRRR utilizes this section of the report to evaluate the agency according to these criteria.

The Division of Professions and Occupations (Division) is established in sections 12-20-103, 12-20-202 and 12-20-401, C.R.S. The Division is responsible for, among other things, providing administrative support to the boards and programs, housed within the Division, that regulate more than 60 professions, occupations and businesses.

Table 2 illustrates the Division's total expenditures from fiscal year 19-20 to fiscal year 23-24 and the total full-time equivalent (FTE) employees in the Division.

Table 2
Division Expenditures and Staff

Fiscal Year	Total Expenditures	FTE
19-20	\$30,101,332	192.9
20-21	\$29,543,676	194.8
21-22	\$29,083,547	189.9
22-23	\$35,304,235	192.2
23-24	\$37,525,749	203.6

Over the five-year period, the Division's total expenditures increased significantly. The increases in expenditures in fiscal years 22-23 and 23-24 are primarily attributed to increases in the cost of legal, personnel, information technology services and other shared overhead. The increase in FTE in 23-24 was necessary to implement several bills that passed in recent years.

The Division is primarily cash-funded by the license fees paid by the individual practitioners and businesses that are regulated by the various programs within it. The Division also receives some funding from federal grants and from other state

departments. Additionally, in 2023, the Division received special funding from the General Fund, which is not continuous.

The Director serves as the head of the Division. In fiscal year 23-24, the Director devoted 203.6 full-time equivalent employees to perform various administrative duties including, but not limited to:

- Customer service,
- Reviewing licensing applications,
- Receiving complaints,
- Investigating complaints filed against regulated practitioners and businesses,
- Preparing Expedited Settlement Program (ESP) offers,
- Maintaining the Healthcare Professions Profile Program (HPPP),
- Developing and auditing compliance with continuing competency and professional development programs,
- Fee setting,
- Board support, and
- Public outreach and engagement.

The Division is divided into several sections, including: Boards and Commissions, Program Operations, Centralized Services and Enforcement Services.

The **Boards and Commissions** section houses various boards, which include, but are in no way limited to the:

- Board of Accountancy,
- Dental Board,
- Electrical Board,
- Board of Nursing, and
- State Board of Pharmacy.

The **Programs Operations** section houses various director-model programs, which include, but are in no way limited to the:

- Office of Audiology Registration,
- Office of Combative Sports,
- Office of Massage Therapy Licensure,
- Office of Natural Medicine, and
- Office of Outfitters Registration.

The **Centralized Services** section houses the shared services common to boards and director-model programs and provides general and administrative support to the overall Division, such as:

- Customer Care,
- Cash Management, and
- Licensing.

The **Enforcement Services** section houses enforcement services common to boards and director-model programs, including:

- Expedited Settlement,
- Inspections, and
- Investigations.

Additionally, the Division has a **Policy and Communication** section, which supports policy development, communication with internal and external stakeholders and program outreach and engagement efforts for the Division.

Within the various sections, the Division houses several offices that provide management and administrative support to the Division's programs, such as the:

- Director's Office,
- Office of Division-Wide Programs and Systems,
- Office of Expedited Settlement,
- Office of Investigations, and
- Office of Licensing.

Licensing

The eleventh and twelfth sunset criteria question whether the scope of practice of the regulated occupation contributes to the optimum use of personnel and whether entry requirements encourage equity, diversity and inclusivity.

In part, COPRRR utilizes this section of the report to evaluate the agency according to these criteria.

The Division issues and renews licenses for a vast array of professions, occupations and businesses. There are more than 60 professions under the Division's purview, ranging from medical professions such as dentists to other professions such as boxers. In particular, the Division also houses numerous programs regulating health-care professions, such as acupuncturists, nurses, physicians, psychologists and respiratory therapists. A complete list of these programs can be found in Appendix A.

Licensing requirements and procedures are specific to each profession. Generally, applicants submit a completed application along with any supporting documentation, which may include examination results, educational transcripts and verification of work experience. Some professions may require other items, such as evidence of professional liability insurance.

In July 2015, the Division introduced online applications. Currently, all professions can apply online via the Division's online licensing system. Any member of the public can create an account and apply for one of the Division's licenses. Each profession has a specific portal leading to the application, which allows them to upload required

documents such as education or professional experience. Paper applications are not posted on the Division’s website. However, an applicant can contact the Division and request a paper application for any program.

Some programs outsource the licensing process to a private contractor, often the vendor that administers the licensing examination. In these cases, the third party administers these procedures rather than the Division. Certified Nurse Aides, for example, apply through an examination vendor. Once all their testing is complete, the examination vendor sends the information to the Division.

In 2020, the Division began implementing the Occupational Credential Portability Program following the passage of House Bill 20-1326. This program allows individuals with current, active licenses issued by another state or U.S. territory to apply for licensure through a more streamlined endorsement process, in which credentials must be substantially similar to Colorado credentials as listed in the relevant practice act. Each regulatory authority establishes, by rule, what constitutes substantially similar experience or credentials to qualify for endorsement, unless that program’s practice act supersedes these provisions.¹⁴

Once applications are submitted, they are assigned to specific licensing specialists for review. If the specialist finds an application to be incomplete, the applicant is sent an email so they can log in and review their deficiencies. Applications are valid for one year from the date received. Candidates can correct any potential deficiencies during this period.

Table 3 illustrates the average time it takes for the Division to process an application and subsequently issue a license.

Table 3
Average Time to Issue a License

Fiscal Year	Number of Days
19-20	45
20-21	35
21-22	22
22-23	16
23-24	16

The remarkable decline demonstrated in Table 3 is due to a long-term goal of the Division to decrease the time it takes to issue licenses. To accomplish this, the Division added a consolidated licensing team to its staff and underwent a division-wide effort to publish more guidance, including the creation of licensing guides and checklists for each program.

¹⁴ § 12-20-202(3), C.R.S.

Additionally, the increase of programs utilizing direct testing helped to decrease the time it takes the Division to issue licenses. Direct testing is when a program does not have to approve applicants' individual tests. Rather, these candidates apply directly to the professional association or testing vendor. The Division has worked to increase the number of programs who are utilizing direct testing.

For most programs, an individual license expires pursuant to a schedule set by the Director for each licensing program.¹⁵ The regulatory authority may prescribe renewal requirements, such as compliance with any continuing education or continuing competency requirements adopted pursuant to its authority.¹⁶ Notwithstanding any contrary statutes, the Director may change the renewal date of any license so that approximately the same number of licenses are scheduled for renewal in each month of the year.¹⁷

Individuals have a 60-day grace period after the expiration of their license to renew without the imposition of a disciplinary sanction by the regulatory authority.¹⁸ If one holder does not renew within the 60-day grace period, their license is deemed expired.¹⁹ However, a regulatory authority may reinstate a license if the candidate begins to comply.²⁰

Table 4 illustrates the total number of new licenses issued, endorsed and renewed. As a result, it also shows the total number of active licenses for the five years indicated.

Table 4
Total Number of Licenses

Fiscal Year	New/Exam	Endorsement	Renewal	Total
19-20	49,045	12,763	194,403	256,211
20-21	45,420	13,267	189,955	248,642
21-22	55,930	18,349	222,197	296,476
22-23	66,246	18,831	183,232	268,309
23-24	65,454	15,567	254,284	336,305

The total number of licenses was relatively stable between fiscal years 19-20 and 22-23. In fiscal year 21-22, the total number of licenses increased significantly. It is difficult to determine the specific causes for the increase that year; however, there was a marked increase in the number of renewals and an increase in endorsement

¹⁵ § 12-20-202(1)(a), C.R.S.

¹⁶ § 12-20-202(1)(d), C.R.S.

¹⁷ § 12-20-202(1)(b), C.R.S.

¹⁸ § 12-20-202(1)(e), C.R.S.

¹⁹ § 12-20-202(2)(a), C.R.S.

²⁰ § 12-20-202(2)(c), C.R.S.

licenses resulting from the implementation of the Occupational Credential Portability Program.

If an individual's license has been expired for a period of more than two years, they must pay all applicable renewal and reinstatement fees and must satisfactorily demonstrate that they are still competent to practice.²¹ The Division may waive the requirements for reinstatement of an expired license if an applicant demonstrates hardship, so long as the regulatory authority considers the protection of the public in the hardship petition.²²

Apart from Type 1 boards, the Director may review any examination or procedure for granting a license in any regulatory program prior to the implementation of the examination or procedure. The Director must determine if there is reason to believe the examination or procedure is unfair to applicants or unreasonable in content. If so, the Director can call on five people licensed in the occupation or profession to review the examination or procedure jointly with the Executive Director. The findings of fact and recommendations of such reviews are made public.²³

Fee Setting

The Division's revenue is generated from the fees imposed on regulated practitioners and businesses. Most of the fees assessed by the Division are determined administratively, although some are capped by statute.

The Division may not issue a new or renewal license to an individual until the applicant has paid and the Division has received all applicable fees.²⁴ Proceeds from new and renewal license fees are transmitted to the state treasurer, who credits them to the Division's cash fund.²⁵ As part of the Division's annual budget request, the Director proposes an adjustment in the amount of each fee.²⁶ Adjustments must reflect direct and indirect costs that are appropriated in the annual general appropriation act.²⁷

Establishing appropriate license fees is a nuanced and intricate process. DORA's budget staff analyzes historical data pertaining to expenses, such as legal costs and personnel services, from the preceding five years. The Division also takes into account the size of the regulated population and the rate at which it may have increased or decreased.

Budget staff then projects, over a two-year period, the expected costs of each program. Calculations are then made to establish the fees at a rate that will meet the current year's allocation while trying to prevent fund deficits and large surpluses in subsequent years. If a supplemental appropriation is made by the General Assembly to the Division

²¹ § 12-20-202(2)(c)(II), C.R.S.

²² § 12-20-202(2)(c)(III), C.R.S.

²³ § 12-20-202(6)(b), C.R.S.

²⁴ § 12-20-201, C.R.S.

²⁵ § 12-20-105(3), C.R.S.

²⁶ § 12-20-105(2)(b), C.R.S.

²⁷ *Ibid.*

for the activities of a regulatory program, fees are adjusted to compensate for the supplemental appropriation.²⁸

Fees are set to meet the costs of providing services. The Division strives to maintain fees at constant levels. However, numerous factors complicate the fee setting process:

- Some renewal cycles are multiple years, which means that fees must be set to generate a fund surplus in the renewal year while preventing a fund deficit in non-renewal years;
- Legal services expenditures tend to be highly variable, especially among programs with smaller license populations;
- Legislative changes may also have fiscal impacts;
- Staff vacancies may generate fund surpluses when expected costs fail to materialize; and
- Reorganizations can also generate surpluses and deficits in individual programs as staff duties are shifted from one area to another.

For each renewal period, in addition to renewal fees, each license is charged one dollar,²⁹ which is applied to the Division's Legal Defense Account (Account).³⁰ The Director may allocate legal defense funds to specific programs to pay a portion of those programs' legal expenses. Since the legal expenses paid through the Account are not applied towards the programs' overall expenses, the Legal Defense Fund helps to offset fee increases in those programs.

Military and Veterans

Colorado House Bill 16-1197 requires agencies to implement a program to consolidate and streamline professional licensing requirements for veterans based on military training.

The Division provides support to military personnel such as active-duty personnel, members of the Reserves and National Guard, as well as military spouses and veterans. These candidates can often receive credit towards the minimum licensure qualifications for their military training, service and education.

The bill requires the Division to develop a licensing process for veterans and individuals serving in the military. Any training gained during military service can be used to supplement professional experience.³¹ Requirements are also relaxed for applicants who already have a military occupational specialty.³²

²⁸ § 12-20-105(6), C.R.S.

²⁹ § 12-20-104, C.R.S.

³⁰ § 12-20-105(5)(a), C.R.S.

³¹ § 12-20-202(4), C.R.S.

³² § 12-20-202(3)(b), C.R.S.

When registered military personnel have been called to active duty for at least 120 days, their licenses are exempt from payment of fees and from any continuing education or professional competency requirements for renewal.³³ The Division also has the discretion to reinstate a license that may have expired while on active duty.³⁴ When renewing a license, the Division may accept continuing education or training received as a service member.³⁵

Programs are required to publish a summary of pathways available for veterans that:³⁶

- Evaluates the extent to which military training meets all or part of the state requirements to practice,
- Identifies reciprocity mechanisms with other state jurisdictions, and
- Determines if a specific occupational examination might be available to authorize a veteran to practice.

These programs are required to also consult with community colleges and other post-secondary educational institutions on how they can cover any gaps between military training and the experience required to be authorized to practice an occupation.³⁷ They may also consult any federal or state military official or agency to implement these directives.³⁸

To help implement these portions of the bill, the Division launched a project known as Veterans Occupational Credentialing and Licensing (VOCAL) in 2016.³⁹ The goal of VOCAL was to systemically examine each regulatory program and publish pathways to licensure. VOCAL began by prioritizing programs based on employment priorities, labor trends and professions where the Division has a high volume of transitioning veterans.

In 2017, the Division began surveying its Nursing, Dental, Physical Therapist and Engineering programs.⁴⁰ As of 2023, the Division conducted reviews for all of its regulated professions. The following list includes professions that have adopted additional rules or policies to streamline the licensing process or otherwise assist service members and veterans:

³³ § 12-20-302(1), C.R.S.

³⁴ § 12-20-202(2)(b), C.R.S.

³⁵ § 12-20-303(1), C.R.S.

³⁶ § 24-4-203(1)(a), C.R.S.

³⁷ § 24-4-203(1)(b), C.R.S.

³⁸ § 24-4-204, C.R.S.

³⁹ Department of Regulatory Agencies. *Colorado House Bill 16-1197: Streamlining the granting of occupational credentials to veterans based on military training. Implementation Report June 30, 2017*. Retrieved September 12, 2025, from drive.google.com/file/d/13w3oXrWOFPUgD7S4RoNfjGC0P5z39XJb/view

⁴⁰ Department of Regulatory Agencies. *Colorado House Bill 16-1197: Streamlining the granting of occupational credentials to veterans based on military training. Implementation Report June 30, 2023*.

- Addiction Counselors;⁴¹
- Audiologists⁴² and Hearing Aid Providers;⁴³
- Barbers and Cosmetologists, Hairstylists, Estheticians and Nail Technicians;⁴⁴
- Accountants;⁴⁵
- Electricians⁴⁶ and Plumbers;⁴⁷
- Marriage and Family Therapists;⁴⁸
- Nurses, Nurse Aides and Psychiatric Technicians;⁴⁹
- Occupational Therapists and Occupational Therapy Assistants;⁵⁰
- Optometrists;⁵¹
- Podiatrists;⁵²
- Psychologists;⁵³
- Social Workers;⁵⁴ and
- Veterinarians.⁵⁵

When an applicant logs on to the Division's online system and selects an application, it will ask if the applicant is a member of the military, a spouse of a military member or a veteran. It will then change the application to provide streamlined questions for candidates.

There are some professions in which licensing requirements are minimal or identical in military and civilian contexts. For these programs, streamlined rules are not necessary. This applies to professions such as:

- Dentists,⁵⁶
- Engineers,⁵⁷
- Physical Therapists,⁵⁸

⁴¹ Addiction Counselor Board Policy 20-4.

⁴² 3 CCR § 711-2-1.11, Audiology Rules and Regulations.

⁴³ 3 CCR § 711-1-1.10, Hearing Aid Provider Rules and Regulations.

⁴⁴ §§ 12-20-202 and 12-20-301 et seq, C.R.S.

⁴⁵ Policy 20-2, Accountancy Board.

⁴⁶ § 12-115-110, C.R.S.

⁴⁷ § 12-155-110, C.R.S.

⁴⁸ Policy 20-2, Marriage and Family Therapist Examiners Board.

⁴⁹ Department of Regulatory Agencies. *Board of Nursing: Military/Veteran Licensing*. Retrieved September 12, 2025, from <https://dpo.colorado.gov/Nursing/VOCAL>

⁵⁰ 3 CCR § 715-1-1.14, Occupational Therapy Rules and Regulations.

⁵¹ Optometry Board Policy 20-7

⁵² 3 CCR § 712-1-1.6, Podiatry Rules and Regulations.

⁵³ Psychology Board Policy 20-1

⁵⁴ Social Workers Board Policy 20-3

⁵⁵ Department of Regulatory Agencies. *Board of Veterinary Medicine: Military/Veteran Licensing*. Retrieved September 12, 2025, from <https://dpo.colorado.gov/Nursing/VOCAL>

⁵⁶ Department of Regulatory Agencies. *Colorado House Bill 16-1197: Streamlining the granting of occupational credentials to veterans based on military training. Implementation Report June 30, 2017*. Retrieved September 12, 2025, from <https://drive.google.com/file/d/13w3oXrWOFPUgD7S4RoNfjGCOP5z39XJb/view>

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

- Pharmacists,⁵⁹
- Registered Psychotherapists,⁶⁰ and
- Surgical Assistants and Surgical Technologists.⁶¹

Additionally, the Division identified professions that did not have equivalents in the military. As such, streamlined veteran licensing policies were not necessary. These include:⁶²

- Anesthesiologist Assistants,⁶³
- Architects,⁶⁴
- Land Surveyors,⁶⁵ and
- Landscape Architects.⁶⁶

Staff of the Division regularly provides customer service to military personnel, veterans, and military spouses. The Division also has a dedicated external affairs team that maintains relationships with non-profit organizations and staff at Colorado's military installations to ensure that information about the licensing is available in workforce centers.

The Division has a dedicated website for military personnel, veterans and their spouses.⁶⁷ The website has specific pages for assistance on application, renewal and reinstatement. It also contains guidance on how to maintain their credentials, resources about acquiring credentials during service and answers to frequently asked questions. Finally, the webpage contains links to additional resources aimed at assisting personnel transition to civilian life.

In 2022, the General Assembly passed House Bill 22-116, which made amendments to the Occupational Credential Portability Program. One such provision authorized the Division to issue a license by endorsement to an applicant based on a Military

⁵⁹ Department of Regulatory Agencies. *Colorado House Bill 16-1197: Streamlining the granting of occupational credentials to veterans based on military training. Implementation Report June 28, 2019*. Retrieved September 12, 2025, from <https://drive.google.com/file/d/1XNYMFuRO-g6swSThEsR393tvqvxt3eN/view>

⁶⁰ Department of Regulatory Agencies. *Colorado House Bill 16-1197: Streamlining the granting of occupational credentials to veterans based on military training. Implementation Report July 1, 2018*. Retrieved September 12, 2025, https://drive.google.com/file/d/14JBAA_3QGM6TkxS4dqixjMy_vGjmoetO/view

⁶¹ *Ibid.*

⁶² Department of Regulatory Agencies. *Military and Veterans Programs*. Retrieved September 17, 2025, from <https://dpo.colorado.gov/Military>

⁶³ Department of Regulatory Agencies. *Colorado House Bill 16-1197: Streamlining the granting of occupational credentials to veterans based on military training. Implementation Report June 28, 2019*. Retrieved September 12, 2025, from <https://drive.google.com/file/d/1XNYMFuRO-g6swSThEsR393tvqvxt3eN/view>

⁶⁴ Department of Regulatory Agencies. *Colorado House Bill 16-1197: Streamlining the granting of occupational credentials to veterans based on military training. Implementation Report July 1, 2018*. Retrieved September 12, 2025, https://drive.google.com/file/d/14JBAA_3QGM6TkxS4dqixjMy_vGjmoetO/view

⁶⁵ Department of Regulatory Agencies. *Colorado House Bill 16-1197: Streamlining the granting of occupational credentials to veterans based on military training. Implementation Report July 1, 2018*. Retrieved September 12, 2025, https://drive.google.com/file/d/14JBAA_3QGM6TkxS4dqixjMy_vGjmoetO/view

⁶⁶ *Ibid.*

⁶⁷ Department of Regulatory Agencies. *Military and Veterans Programs*. Retrieved September 17, 2025, from <https://dpo.colorado.gov/Military>

Occupational Specialty, which will allow veterans to directly transfer their military experience into a Colorado license with substantially similar requirements.

In 2024, the General Assembly passed House Bill 24-1097. This legislation directed the Division to streamline the licensing process for spouses, dependents and Gold Star spouses of military personnel stationed in Colorado if they have valid credentials from another state. Eligible applicants do not have fees associated with their licenses, which are valid six years from issuance.⁶⁸

Equity, Diversity, and Inclusivity

The Division does not collect any demographic data regarding licensees. Nonetheless, it has made strides to streamline the process for individuals that have international education or experience which might qualify them for a professional license.

The Division currently has a webpage for applicants with international training, which contains some guidance for new Americans in Colorado. It also contains licensing guides for Barbers and Cosmetologists and for Professional Engineers.

Some programs have specific directives aimed at streamlining and including international qualifications for licensure. For example, in 2019 the General Assembly passed House Bill 19-1290. This legislation allows an applicant for a barber, cosmetologist, esthetician, nail technician or hairstylist to substitute international work experience for required contact hours. Since then, the Division has implemented the Barber & Cosmetology Foreign Training Equivalency program.⁶⁹ Applicants may substitute work experience obtained abroad at a ratio of three months of experience for every one hundred training hours.

In 2022, the General Assembly passed House Bill 22-1050. This established specific, unique requirements for internationally trained physicians who want to obtain a medical license in Colorado.⁷⁰ The Medical Board may license an applicant with a medical degree outside the United States if the applicant meets all the other requirements for licensure and holds a specialty board certification. The Medical Board must consider the following when considering the qualifications of a medical school graduate with international credentials:

- The information available to the Medical Board relating to the medical school of the applicant, and
- The nature and length of the postgraduate training completed by the applicant.⁷¹

⁶⁸ § 12-20-202(3)(f), C.R.S.

⁶⁹ Department of Regulatory Agencies. *Immigrant Licensure Information*. Retrieved September 9, 2025, from <https://dpo.colorado.gov/ImmigrantLicensure>

⁷⁰ Department of Regulatory Agencies. *Medical Licensing Guide*. Retrieved September 17, 2025, from https://drive.google.com/file/d/1gGDucX61gU325ZhK1H_WYRkQap3aQVpt/view

⁷¹ § 12-240-114(1), C.R.S.

Examination

The eleventh and twelfth sunset criteria question whether the scope of practice of the regulated occupation contributes to the optimum use of personnel and whether entry requirements encourage equity, diversity and inclusivity.

In part, COPRRR utilizes this section of the report to evaluate the agency according to these criteria.

The statutes for many programs require candidates to pass an examination in order to receive a license. In some cases, that examination is state-specific, for example:

- Mental Health Jurisprudence Examination,
- Nursing Home Administrators,
- Professional Land Surveyors, and
- Psychiatric Technicians.

The Division neither develops nor administers any examinations. In the case of state-specific examinations, the Division uses outside vendors for examination creation and administration.

Two vendors the Division often partners with are Prometric and PSI. Candidates work directly with the vendor to complete any tests. Once all their testing requirements are completed, the examination vendor sends the information to the Division.

Complaint Activity

The tenth sunset criterion requires COPRRR to examine whether complaint, investigation and disciplinary procedures adequately protect the public and whether final dispositions of complaints are in the public interest or self-serving to the profession or regulated entity.

In part, COPRRR utilizes this section of the report to evaluate the agency according to this criterion.

When the regulatory authority receives a complaint concerning a regulated individual or business, program staff reviews it and typically sends a 30-day letter to the licensee, also referred to as the respondent. In addition to notifying respondents of the complaints filed against them, the 30-day letter provides respondents with an opportunity to formally respond to the allegations. In most practice acts, the respondent is required to formally respond to the 30-day letter; otherwise, they may be subject to discipline by the regulatory authority.

There are situations, however, where certain complaints do not follow this “30-day letter” process. These complaints usually include issues that require a more immediate

response, such as alleged drug use, sexual misconduct or practicing without a license. These types of complaints are forwarded directly to the Office of Investigations for investigation. Importantly, the respondents of these types of complaints are still able to formally respond to the allegations against them, just at a different stage of the process.

After all of the information is submitted to the program staff, the complaint and correspondence from the respondent and complainant are provided to the regulatory authority for review.

Upon reviewing the information, the regulatory authority has several options available, including referring the case to the Office of Investigations.

When a complaint is referred to the Office of Investigations, investigators acts as an impartial, neutral fact finder and does not “represent” the complainant, the regulatory authority, or the licensee.⁷² As such, investigators are tasked with conducting research, which may include interviewing the complainants and respondents. An investigator may subpoena or otherwise obtain copies of pertinent documents, and where appropriate, may retain an expert consultant to review a case.⁷³ While an investigator is typically assigned many investigations each year, the goal of the Office of Investigations is to complete an investigation within 180 days.⁷⁴ However, investigations vary in complexity and some necessitate additional time to complete. Once an investigation is complete, the investigator drafts a report, which contains their findings from the investigation, and submits it to the regulatory authority.

Table 5 highlights the total number of complaints received by all programs in the Division in the past five fiscal years, as well as the average number of days it took to complete investigations each fiscal year.

⁷² DORA Division of Professions and Occupations. *Office of Investigations*. Retrieved July 15, 2025, from Office of Enforcement to Office of Investigations, Inspections & Expedited Settlement | Divisions of Professions and Occupations

⁷³ DORA Division of Professions and Occupations. *Office of Investigations*. Retrieved July 15, 2025, from Office of Enforcement to Office of Investigations, Inspections & Expedited Settlement | Divisions of Professions and Occupations

⁷⁴ DORA Division of Professions and Occupations. *Office of Investigations*. Retrieved July 15, 2025, from Office of Enforcement to Office of Investigations, Inspections & Expedited Settlement | Divisions of Professions and Occupations

Table 5
Total Number of Complaint Cases Investigated and
Average Number of Days to Complete an Investigation

Fiscal Year	Number of Complaints Received by Division Staff	Average Number of Days to Complete an Investigation
19-20	9,424	152
20-21	8,112	135
21-22	9,562	122
22-23	9,952	110
23-24	10,286	85

In fiscal year 20-21, there was a decrease in the number of complaints received by the Division. The decrease is attributable to the COVID-19 pandemic. Also, as Table 5 indicates, the average number of days to complete an investigation steadily decreased in each fiscal year. The decrease is attributable to Division’s enhanced focus on decreasing the “Life of a Case.”

Disciplinary Activity

The tenth sunset criterion requires COPRRR to examine whether complaint, investigation and disciplinary procedures adequately protect the public and whether final dispositions of complaints are in the public interest or self-serving to the profession or regulated entity.

In part, COPRRR utilizes this section of the report to evaluate the agency according to this criterion.

One of the central functions of any regulator is to impose formal discipline, which includes “final agency actions,” on regulated practitioners for violations of practice acts or applicable rules. There are two models utilized by the Division when providing regulatory oversight, director-model and board-model programs. A director-model program essentially means that the director of the Division is responsible for, among other things, imposing discipline on practitioners when necessary. There are also many regulatory programs that are regulated by boards, where a regulatory board is responsible for, among other things, imposing formal discipline on practitioners for violations of the statute or applicable rules.

The Director and the regulatory boards have several options when imposing formal discipline on practitioners, including, but not limited to:

- Suspension,
- Revocation,
- Practice limitations,

- Letters of admonition, and
- Cease and desist orders.

There are several factors that are considered when determining the type of formal discipline imposed on practitioners, such as the nature of the violation, harm to the public, substandard practice and whether the practitioner has received formal discipline in the past.

Additionally, the Director and boards often have the authority to impose fines on practitioners for violations of statutes or applicable rules.

Table 6 highlights the total number of final agency actions imposed on practitioners in fiscal years 19-20 through 23-24.

Table 6
Total Number of Final Agency Actions in
Fiscal Years 19-20 through 23-24

Fiscal Year	Final Agency Actions
19-20	2,300
20-21	2,015
21-22	2,358
22-23	2,256
23-24	2,135

As Table 6 indicates, the total number of final agency actions has remained fairly constant in the past five fiscal years. Importantly, during this period, 24 percent of complaints resulted in formal disciplinary action.

Finally, Table 7 highlights the total number of fines imposed, total value of fines imposed and total value of fines collected by the Director and the regulatory boards during the past five fiscal years.

Table 7
Total Number of Fines Imposed, Value of Fines Imposed and
Value of Fines Collected in Fiscal Years 19-20 through 23-24

Fiscal Year	Total Number of Fines Imposed	Total Value of Fines Imposed	Total Value of Fines Collected
19-20	382	\$376,152	\$376,152
20-21	193	\$201,606	\$201,606
21-22	227	\$212,365	\$212,365
22-23	207	\$209,545	\$209,545
23-24	185	\$206,833	\$206,833

As Table 7 illustrates, from fiscal year 19-20 to 23-24, the total number of fines imposed and the value of fines imposed decreased significantly. Regulatory authorities within Division have discretion when imposing fines on practitioners. As such, Division staff stated that it is difficult to point to an overarching trend; therefore, it is impossible to explain the stark decrease in the utilization of fining authority by boards or the Director.

Outreach and Engagement

The seventh sunset criterion questions:

Whether the composition of the agency's board or commission adequately represents the public interest and whether the agency encourages public participation in its decisions rather than participation only by the people it regulates.

In part, COPRRR utilizes this section of the report to evaluate the agency according to this criterion.

The Division utilizes a variety of methods to communicate with both licensees and members of the public regarding the regulatory programs that it oversees, including website updates, publications, informational videos and email. These tools are used to provide updated information regarding procedural changes and to clarify the Division's processes and procedures. Each program has the ability to utilize these tools when needed. However, the Division has also developed procedures which are often implemented across programs to bolster outreach and engagement.

Website

The Division maintains a public website that links to webpages for each regulatory program. Staff update the website frequently in order to communicate important information or changes regarding each program. In the website, staff also maintain subpages that address specific topics, such as the role of the Division or the process for filing a complaint or applying for a license.

Publications

The Division produces a number of publications that it posts on program webpages. As of the writing of this report, there are 42 licensing guides available. Publications may also address topics such as the Division's role in the regulatory process, surprise billing and apprenticeships. Further, publications may be created when a new board or program is implemented in order to inform consumers regarding any new regulatory processes.

To determine if a new publication would be beneficial for a specific regulatory program, the Division's policy and communications team regularly reviews and receives comments from stakeholders and engages in conversations with program staff.

Informational Videos

Similarly, the Division utilizes comments from licensees, consumers and program staff to determine if a video on a certain topic should be developed. Communications staff regularly meets with the Division's customer care team regarding the types of information that might be beneficial to disseminate to the public, depending on the types of questions being received by the customer care staff. The Division's Public Information Officer may also create additional videos covering a wide range of subjects, such as license application and renewal, compact state information and how to file a complaint. Informational videos are often developed in multiple languages and utilize subtitles to make them accessible to a larger audience.

E-blasts

The Division has the ability to send mass emails, or e-blasts, to licensees. E-blasts can be sent to licensees for many reasons, for example: to address common questions, sharing rulemaking information, convey information regarding license renewal or, occasionally, collect stakeholder comments. Staff often consult with the program's director and the Division's policy and communications team to determine the proper method to disseminate the information contained in the e-blast.

Additionally, the Division's Public Information Officer works with the legislative team to ensure that information regarding new laws is shared with licensees. The Division's program staff may also utilize e-blasts to provide scam alerts.

Newsletters

Newsletters are a regular form of e-blasts sent to licensees, which may be sent on a quarterly or monthly basis. However, the State Board of Pharmacy, which it is statutorily mandated to share certain legislative information with licensees, is the only regulatory program currently employing this method of outreach. While any regulatory board or program may opt to provide a newsletter, e-blasts and other forms of communication have become more commonplace.

Customer Service/Consumer Protection Committee

The Division has created a committee, comprised of Division staff, that develops ideas to make the Division's internal and external communications more accessible and easier to digest. Although this committee is not public facing, the members of the committee consider comments from consumers and program staff when developing any new communications strategy.

Analysis and Recommendations

The final sunset criterion questions whether administrative and statutory changes are necessary to improve agency operations to enhance the public interest. The recommendations that follow are offered in consideration of this criterion, in general, and any criteria specifically referenced in those recommendations.

Recommendation 1 – Clarify that the Occupational Credential Portability Program applies to all internationally trained practitioners regulated by the boards and programs housed within the Division of Professions and Occupations.

Individuals living in Colorado who were born outside of the United States made up about 9.6 percent of the state’s population in 2024.⁷⁵ That same year, the state experienced a migration influx with more than 30,000 new Americans entering the state.⁷⁶

Not surprisingly, Colorado statutes recognize this, defining “new Americans” as Coloradans who have arrived in the state as an immigrant or refugee.⁷⁷

New Americans face many challenges while transitioning to life in the United States. In addition to language barriers and uncertainty regarding their visas, new Americans run into daily financial and administrative hurdles, including difficulties with applying for Social Security numbers, obtaining state identification, opening bank accounts and securing housing, among others.

In addition to the hurdles that these individuals face on a daily basis, they may also have difficulty obtaining the professional and occupational licenses that are required to work in the field in which they are trained.

The Colorado Office of New Americans (ONA) projects that because of the state’s aging population, death rates, retirements and increases in the rate of job openings per unemployed person, the need for a dedicated workforce in the future is only going to continue to increase.⁷⁸ One in nine Coloradans, and one in eight workers in Colorado, is a new American.⁷⁹ This segment of Colorado’s population can be a vital source to help fill gaps in the workforce. About 83 percent of Colorado’s new Americans are of working age.⁸⁰ Over 34 percent of immigrants and refugees aged 25 and older held an advanced degree in 2024, and 79 percent reported being proficient in English.⁸¹ The

⁷⁵ American Immigration Council. *Immigrants in Colorado*. Retrieved October 8, 2025, from <https://map.americanimmigrationcouncil.org/locations/colorado/#>

⁷⁶ *Office of New Americans Annual Report SFY2024*, The Office of New Americans (2025), p. 17.

⁷⁷ § 8-3.7-102(5), C.R.S.

⁷⁸ *Office of New Americans Annual Report SFY2024*, The Office of New Americans (2025), p. 9.

⁷⁹ *Office of New Americans Annual Report SFY2024*, The Office of New Americans (2025), p. 5.

⁸⁰ *Office of New Americans Annual Report SFY2024*, The Office of New Americans (2025), p. 34.

⁸¹ *Office of New Americans Annual Report SFY2024*, The Office of New Americans (2025), p. 6.

share of entrepreneurs in the state who are immigrants was 12.2 percent in 2024.⁸² Further, 11.2 percent of the science, technology, engineering and mathematics (STEM) workforce was made up of immigrants.⁸³

In some instances, new Americans were distinguished in their country of origin. They may have been coveted educators, led successful companies or even ran large medical facilities. However, once in Colorado, they may be employed significantly below their skill level because employers and credentialing bodies fail to recognize or assess their skills.

In the past several years, the Division of Professions and Occupations (Division) has taken many steps to create opportunities for internationally trained practitioners living in Colorado to pursue licensure in the occupation or profession for which they have been trained and licensed in other countries or jurisdictions. This recommendation seeks to increase occupational portability for all professions by giving regulatory programs the authority to determine substantial equivalency for each profession.

The Occupational Credential Portability Program, located in section 12-20-202(3), Colorado Revised Statutes (C.R.S.), outlines authority to determine substantial equivalence as it applies to licensure requirements. This provision, however, may be limited by individual practice acts. Because of this, some practice acts severely limit the ability of individuals trained outside of the United States to obtain an occupational or professional license in Colorado, despite having practiced for many years and having appropriate education. Regrettably, the current statutory language creates barriers for the Occupational Credential Portability Program and decreases opportunities to grow the workforce in this state.

Section 12-20-202(3)(d), C.R.S., states:

A regulator may specify by rule what constitutes substantially equivalent experience or credentials and, unless otherwise prohibited by this Title 12, shall allow an applicant for certification, registration, or licensure by endorsement to demonstrate competency in a specific profession or occupation as determined by the regulator in lieu of a requirement that the applicant has worked or practiced in that profession or occupation for a period of time prior to the application for endorsement.

If the language in this section were to change from “unless otherwise prohibited” to “notwithstanding other provisions within,” the regulatory authority, either the Director of the Division (Director) or a regulatory board, would have the ability to evaluate credentials to determine if they meet the requirements for licensure.

At least two other states, Florida and New Hampshire, have recently enacted similar provisions.

⁸² *Office of New Americans Annual Report SFY2024*, The Office of New Americans (2025), p. 33.

⁸³ *Ibid.*

In 2023, Florida enacted Senate Bill 1364, which states:

Notwithstanding any other law, a board must issue an occupational license or a government certification to an applicant for such license or certification if all of the following apply (1) the applicant holds a current valid occupational license or government certification issued by another licensing entity in a lawful occupation with a similar scope of practice as determined by a board of this state . . .

This statute allows boards to provide licensure through portability not only to candidates from other states but also to internationally trained practitioners.

In 2023, New Hampshire also enacted a similar bill, House Bill 594, which reads:

Notwithstanding any other state law to the contrary, the office shall issue licenses to professionals who present evidence of an active license in good standing from another jurisdiction, in accordance with rules adopted by the executive director under RSA 541-A, provided that the jurisdiction's licensing requirements are substantially similar to New Hampshire's licensing requirements, as determined by the executive director in consultation with the boards, commissions, and councils within the office.

. . .

This bill seems to allow internationally trained practitioners to be licensed by endorsement.

In order to understand this issue better, COPRRR conducted a survey of the Division's licensees and asked respondents to rate their experience, if appropriate, in submitting evidence of international training and education. Over half (53 percent) of respondents rated their experience as "Good" or "Excellent," and 29 percent indicated that the question was not applicable to them. While this indicates that the Division has accomplished much in this area, the restrictive statutory language highlighted above could be amended to enable even greater progress.

The second sunset criterion asks whether the conditions that led to the initial creation of the program have changed and whether other conditions have arisen that would warrant more, less or the same degree of governmental oversight. The third criterion asks whether the existing rules and regulations establish the least restrictive form of governmental oversight consistent with the public interest, considering other available regulatory mechanisms. The eleventh criterion looks at the scope of practice of the regulated occupation and if it contributes to the optimum use of personnel, and the twelfth criterion questions whether entry requirements encourage equity, diversity and inclusivity.

Changing the current statutory language to address the integration and inclusion of internationally trained applicants in Colorado will help to fill crucial gaps in the state's

workforce, drive greater innovation and entrepreneurship throughout the state, and improve Colorado's economy overall.

For all these reasons, the General Assembly should clarify that the Occupational Credential Portability Program applies to all internationally trained practitioners regulated by the boards and programs housed within the Division.

Recommendation 2 – Authorize boards to craft delegation policies that allow them to more efficiently work with the Division to gather information and to take actions that would be ratified at the next board meeting.

While no clear statutory provisions prohibit boards from delegating certain tasks to staff or to a single board member, some have interpreted the lack of explicit authority as meaning that boards cannot delegate those functions that require even the smallest amount of independent judgment. This can cause delays in case processing and board action.

For example, when a complaint is received by a board concerning a licensee, the complaint is often scheduled to be reviewed at the next board meeting. If the board determines that there may be a violation of the practice act but needs more information to make such a determination, it may request that staff gather the additional information. Then, at the next board meeting, the board can review the additional information and move the case forward as appropriate.

This process is inefficient, particularly in instances when staff can anticipate what additional information may be needed but cannot obtain it without direction from the board. For instance, some boards meet on a quarterly basis, so if a complaint is filed days after a board meeting, the complaint against the licensee will not be scheduled to be reviewed by the board for several months. Once the complaint is calendared for the next board meeting, the board then will determine whether and what additional information it needs, thereby directing staff to compile the requested information for review. If the board determines that a violation of the practice act may have occurred, it can decide to impose discipline or, conversely, dismiss the case. In this example, the process may take six months or longer to determine whether a licensee will be disciplined for violations of the practice act. This prolonged process means that a potentially dangerous licensee can continue to practice, and it also means that a potentially innocent licensee must live with the specter of potential discipline.

Similarly, when the Division receives a complaint that indicates conduct so egregious that emergent action, such as a summary suspension, is necessary to protect the public, staff must organize an emergency meeting of the board so that the board can take the necessary votes to approve the desired course of action. However, it can be logistically challenging to schedule emergency meetings among practicing professionals. It can take several weeks to coordinate schedules to hold such a meeting. During that period, the egregious conduct is allowed to continue.

While the board should absolutely be involved in such decisions, the requirement that the board hold a formal vote on an emergency action may lead to greater consumer harm.

Rather, it would be more efficient to allow the boards to develop policies delegating authority to someone—a board president, a board member or even the Director—to take action, which could then be ratified at the next board meeting. This would enable swift action while still ensuring the legitimate oversight of the board involved.

The sixth sunset criterion asks whether an analysis of agency operations indicates that the agency or the agency’s board or commission performs its statutory duties efficiently and effectively. As highlighted above, the current process utilized by boards to compile information and to take emergency action is inefficient. Enhancing efficiency among boards may be achieved by authorizing them to create policies that would enable staff to compile information prior to board meetings and to take emergent action that would be subsequently ratified.

Finally, during the course of this sunset review, COPRRR conducted informational surveys addressing a variety of issues. COPRRR surveyed more than 200 board members asking, among other things, “Should all boards in the Division of Professions and Occupations be authorized to develop policies delegating specific tasks to staff to streamline case management and allow the board to take action more quickly when there is a threat to public safety? For example, gathering complaint documentation prior to a board meeting?” More than 90 percent of board member respondents were in favor of authorizing boards to develop policies delegating specific tasks to staff.

Therefore, the General Assembly should authorize boards to craft both emergent and general delegation policies that allow them to more efficiently work with the Division to direct board staff to take actions the board determines are necessary to more expediently process and resolve cases and other items that would be ratified at the next board meeting. This will create a more efficient and streamlined process.

Recommendation 3 – Amend the statute to allow a licensee who receives a letter of admonition to request a hearing within 25 days of issuance of the letter of admonition, rather than within 20 days of receipt.

Section 12-20-404(4)(b)(I), C.R.S., states that when a regulatory authority within the Division sends a letter of admonition to a licensee, the regulatory authority must advise the licensee that they have the right to request, in writing, within 20 days of receipt of the letter, that the regulatory authority vacate the letter of admonition and initiate formal disciplinary proceedings to adjudicate the propriety of the conduct upon which the letter of admonition is based.

Currently, it is difficult for the regulatory authority to determine when a licensee ultimately receives a letter of admonition. Starting the clock upon receipt can also

cause confusion for a licensed practitioner—did the clock start when the letter was deposited in the licensee’s mailbox, or did it start when the licensee opened the letter?

In the end, the regulatory authority does not know if the licensee adhered to the 20-day requirement. As such, the statute should be amended to start the clock upon issuance of the letter, rather than receipt. To accommodate transit time for the letter, the statute should allow the licensee to request a hearing 25 days after issuance of a letter of admonition, rather than its receipt. Doing so will provide greater clarity within the statute and would assist both the regulatory authority and the licensee in determining whether a request to initiate formal disciplinary proceedings occurs within the allowable timeframe.

The sixth sunset criterion asks whether an analysis of agency operations indicates that the agency or agency’s board or commission performs its statutory duties effectively and efficiently. Updating the statute to authorize licensees to request the initiation of formal disciplinary proceedings within 25 days of issuance of letters of admonition will enable everyone to more accurately determine whether recipients are in compliance with the statute.

Therefore, the General Assembly should amend the statute to allow a licensee who receives a letter of admonition to request a hearing within 25 days of issuance of the letter of admonition, rather than within 20 days of receipt.

Recommendation 4 – Authorize the Division to send correspondence to licensees electronically.

The Division has modernized many of its communication processes, such as enabling the renewal of licenses to be completed through an on-line system. The Division utilizes email to inform licensees about license renewals. Also, the vast majority of communication between Division staff and licensees occurs with electronic correspondence.

However, language in the statute still requires the Division to communicate with licensees via mail. This not only requires the expenditure of resources, but it also precludes the ability of the Division to provide legal notice by email.

The statute should be updated to reflect common communication practices, including electronic communication. For example, Recommendation 3 in this sunset review highlights language contained in section 12-20-404(4)(b)(I), C.R.S., which concerns letters of admonition. Clearly, the statute does not prohibit sending letters attached to an email, but the language does not authorize electronic correspondence only.

Since email correspondence is widely utilized between the Division and regulated practitioners, the statute should be updated to allow electronic correspondence in all areas of the statute. Importantly, authorizing the utilization of electronic

correspondence should be permissive, not mandatory. The Division should be authorized to utilize first-class mail delivery if, for example, staff are unable to identify a current email address for a regulated practitioner. Staff should also be authorized to utilize electronic correspondence or first-class mail for the delivery of administrative subpoenas.

The sixth sunset criterion asks whether an analysis of agency operations indicates that the agency or the agency's board or commission performs its statutory duties efficiently and effectively. Authorizing electronic correspondence for all communication with the Division and licensees will allow an additional option for communication and facilitate enhanced efficiency.

As such, the General Assembly should authorize electronic communication for all correspondence between the Division and licensees.

Recommendation 5 – Modernize the Legal Defense Account surcharge to account for inflation.

The Division is primarily cash funded through the initial and renewal license fees that are paid by the practitioners and businesses regulated by the Director and the boards housed within the Division. As the regulatory programs within the Division are cash funded, the license fees must cover the costs of regulation. One of those costs is legal services, which are highly variable and can significantly increase the cost of regulation in any one year.

To help supplement the cost of legal services of individual programs, the General Assembly created the Legal Defense Account (Account).⁸⁴ Funds in the Account may be used to help pay legal expenses incurred by any one of the Division's programs.⁸⁵ The Director annually determines which programs should receive funds from the Account. Overall, the Account is a helpful mechanism for the Division to cover a portion of the legal costs for individual programs and to mitigate potential fee increases for the practitioners licensed by these programs.

In the five years examined for this sunset review, total legal expenses for the Division ranged from \$3.1 million in fiscal year 21-22 to \$5.2 million in fiscal year 23-24. Legal expenses include costs associated with holding administrative hearings, charges for legal services provided by the Attorney General's Office, and costs for administrative law judge services.⁸⁶ It also includes the costs associated with investigative work and hiring expert witnesses or consultants.⁸⁷ Legal expenses are also incurred when various regulatory boards and programs are sued in civil court for enforcing new laws passed by the General Assembly.

⁸⁴ § 12-20-105(5)(a), C.R.S.

⁸⁵ *Ibid.*

⁸⁶ § 12-20-105(5)(b), C.R.S.

⁸⁷ *Ibid.*

Legal expenses might fluctuate for a variety of reasons such as the number of cases and the legal costs associated with these cases. Importantly, a single large case could be extremely expensive, which may significantly impact the license fees paid by practitioners regulated in such a program. The Account is intended to help to minimize such large fluctuations in license fees due to unusually high legal expenditures incurred by any one program.

Table 8 indicates the yearly balance of the Account, along with its allocations for the past five fiscal years. It also includes the Division's total legal costs each year, as a whole, to provide a snapshot of how the Account assists the Division.

Table 8
Legal Defense Account

Fiscal Year	Account Balance	Account Allocations	Funds Used from Account	Division's Total Legal Expenses
19-20	\$502,831	\$373,000	\$566,989	\$4,333,577
20-21	\$308,842	\$500,000	\$639,824	\$3,843,959
21-22	\$169,018	\$544,000	\$649,155	\$3,125,349
22-23	\$63,863	\$385,000	\$251,317	\$3,913,692
23-24	\$197,546	\$347,700	\$369,729	\$5,205,194

In fiscal year 21-22, a total of \$544,000 was allocated into the Account, which already had a balance of close to \$170,000. The Division used approximately \$650,000 that year to cover a portion of the \$3.1 million in legal expenses. While sizable, the funds provided by the Account still pale in comparison to the Division's total yearly legal expenses. That year, the Division paid \$2.5 million in legal expenses from other sources, primarily funds generated by license fees. When a single program incurs an unusual amount of legal services, the cost of its program may increase significantly and result in significantly higher license fees for the licensees in that program. The effect is particularly detrimental for smaller programs. This Account helps to mitigate such large fluctuations.

Currently, the Account is funded through an "excise tax" of \$1 for each year of an individual licensee's renewal period.⁸⁸ This excise tax effectively functions as a surcharge on renewals. No other fees or portions of fees are used for the Account.⁸⁹ The Director is required to collect the surcharge whenever an individual licensee pays to renew their license.⁹⁰ A dollar per year is added to the total cost of the fee to renew a license.⁹¹ Once collected, the surcharge funds are credited to the Account.⁹² The

⁸⁸ § 12-20-104(1), C.R.S.

⁸⁹ § 12-20-105(5)(a), C.R.S.

⁹⁰ § 12-20-104(1), C.R.S.

⁹¹ *Ibid.*

⁹² § 12-20-105(5)(a), C.R.S.

Director then has the discretion to authorize how much of the funds in the Account will be used and to which programs they should be applied.⁹³

Importantly, this surcharge does not apply to renewal fees paid by nurse aides⁹⁴ or licensed businesses.

The fifth criterion asks whether the agency operates in the public interest and whether its operation is impeded or enhanced by existing statutes, practices and any other circumstances, including budgetary, resource and personnel matters. The tenth criterion asks whether complaint, investigation and disciplinary procedures adequately protect the public.

While raising fees is not desirable, in this instance, an increase can help reduce the risk of drastic fluctuations in license fees. Licensee fees are based on the cost of the program, and legal fees are often a significant portion of that cost. For example, when a program has more disciplinary cases than usual, it may significantly higher legal fees. These costs are then passed along to licensees in the form of a fee increase. In some programs with a high number of licensees, any fee increase due to increased legal expenses is negligible. In very small programs, however, legal fees can result in a significant portion of the program's budget. Because of this, legal defense funds are especially critical for smaller programs where a single legal case can significantly increase fees for all licensees within the program. For example, if there are 100 licensees in a program, a single case with \$10,000 in legal fees would result in a fee increase of \$100 per licensee. That same case spread across 100,000 licensees would result in a fee increase of \$0.10 per licensee.

An increase in the dollar surcharge would support the Division's goal to mitigate significant license fee increases. If the surcharge were hypothetically set at \$2 in fiscal year 21-22, instead of \$1, a total of \$1,088,000 would have been allocated to the Account.

The second sunset criterion asks whether the conditions that led to the initial creation of the program have changed.

The surcharge was established in 1997 and has remained static ever since. However, the rise in inflation has reduced the buying power of the dollar since the establishment of the fee. In August 1997, \$1 had the same buying power as \$2.01 in August 2025.⁹⁵ Hence, doubling the surcharge would be a proper measure to modernize the surcharge.

The Account is the Division's only tool to offset some of the legal expenses so that small regulatory programs do not incur large license fee increases in any given year. There is no way to accurately estimate legal fees, or spread them across multiple years, as

⁹³ *Ibid.*

⁹⁴ § 12-20-104(1), C.R.S.

⁹⁵ U.S. Bureau of Labor Statistics. *CPI Inflation Calculator*. Retrieved October 3, 2025, from www.bls.gov/data/inflation_calculator.htm

license fees depend almost entirely on cases received by the Division and the legal costs of adjudicating these cases.

For all these reasons, the General Assembly should modernize the surcharge used to fund the Account by increasing it from \$1 to \$2. This will help the Division to continue to mitigate significant license fee increases in the programs affected by unusually high legal costs and account for inflation since the inception of the surcharge. The \$1 increase reflects the change in spending power due to inflation since the establishment of the surcharge.

Recommendation 6 – Clarify that the Division, not individual regulatory boards, has the authority to enter into contracts with third-party vendors, but that the boards should be consulted when doing so.

One of the Division’s main functions is to provide administrative support to the boards housed within it. These boards typically consist of licensed practitioners, who serve as subject matter experts, and public members. The boards review license applications, complaint and investigatory files and make determinations as to whether discipline should be imposed and what that discipline should be. Thus, the boards are tasked with protecting the public.

To support the boards in this mission, the Division, among many other things,

- Processes license applications,
- Receives and processes complaints,
- Investigates complaints,
- Oversees compliance with stipulated agreements or terms of probation,
- Oversees compliance with continuing education requirements,
- Provides logistical support for board meetings, and
- Enters into and manages contracts with third-party vendors.

The last bullet regarding contracts is the subject of this recommendation. Among the types of contracts that the Division may enter into and manage are those for the administration of licensing examinations and the provision of peer health assistance services for licensees.

However, while many practice acts are silent on contracting authority, which therefore defaults to the Division, some are not.

For example, the statutes regulating mental health professionals specify that the Director, in consultation with the various mental health boards, selects the peer health assistance provider.⁹⁶ Other practice acts that authorize peer health assistance programs specify that the board selects the peer health assistance provider. These

⁹⁶ § 12-245-231(1)(b), C.R.S.

include the Medical Practice Act,⁹⁷ the Dental Practice Act,⁹⁸ the Nursing Practice Act,⁹⁹ the Pharmacy Practice Act¹⁰⁰ and the Veterinary Practice Act.¹⁰¹ The Nursing Home Administrator Practice Act grants to the Board of Examiners of Nursing Home Administrators the authority to select and administer a national licensing examination,¹⁰² which has been interpreted as authorizing this board to select the examination vendor.

State fiscal rules dictate the process by which state agencies select and enter into contracts with third-party vendors. The Division typically undertakes these tasks, but the statutes discussed above complicate matters.

A recent example illustrates the problem. In fiscal year 19-20, the Division issued a Request for Proposals (RFP) for the peer health assistance program authorized by the Medical Practice Act. The Division selected one vendor and the Medical Board selected another. While the vendor selected by the Medical Board was ultimately awarded the contract, due to deficiencies in the RFP process, it created unnecessary conflict.

As part of its stakeholder process, COPRRR surveyed the members of affected boards as to their opinion on this matter. The survey was sent to 65 board members and 12 responded, for a response rate of 18.5 percent. The survey posed one question:

Several practice acts specifically authorize the regulatory board, as opposed to specifically authorizing the Division or remaining silent, to enter into contracts for peer assistance health programs or examinations. Since the Division typically enters into contracts for the administration of the regulatory programs housed within it, including those with a board, we would like to ascertain your thoughts, as a board member, on this issue. Please select the response that best reflects your thoughts on this matter.

While 33.3 percent of respondents indicated that the board should have this authority, 50 percent indicated that the Division should have this authority, but it should consult with the board. Complete survey results can be found in Appendix C.

The fifth sunset criterion asks, among other things, whether agency operations are impeded by existing statutes.

Since the Division routinely enters into and manages contracts with third-party vendors as part of its administrative support role and since the Division, not the regulatory boards, possesses the necessary expertise to do so, clearly authorizing the Division to

⁹⁷ § 12-240-131(1)(b), C.R.S.

⁹⁸ § 12-220-310(1)(b), C.R.S.

⁹⁹ § 12-255-130(3)(a), C.R.S.

¹⁰⁰ § 12-280-203(2)(b), C.R.S.

¹⁰¹ §§ 12-315-123(1)(a) and (2)(a), C.R.S.

¹⁰² § 12-265-111(3), C.R.S.

enter into these contracts would be more efficient and acknowledge what is otherwise common practice.

However, as subject matter experts with regard to the practitioners that the boards regulate, the Division should still consult with the boards when engaging in the contracting process. This will help to ensure that the needs of licensed practitioners are taken into consideration.

For all these reasons, the General Assembly should amend the statutes enumerated above to clarify that the Division, not individual regulatory boards, has the authority to enter into contracts with third-party vendors, but that the relevant board should be consulted in doing so.

Administrative Recommendation 1 – The Division should develop a process whereby licensees and members of the public can easily locate and access application questions.

For most practitioners regulated by the boards and programs housed in the Division, obtaining a license is the culmination of months or years of study, training and assessments.

For many, the licensing process begins by submitting an application to the Division. Licensure application questions are designed to solicit the information necessary for the Division to determine whether the applicant satisfies the licensing requirements. As a result, licensees and other interested members of the public may need to view application questions outside of the application process. For example, licensees may choose to prepare in advance for the application process and may need to know what will be asked of them in order to do so, or a member of the public might be curious regarding the types of questions that are asked to determine competency.

Throughout this sunset review, stakeholders raised concerns regarding the difficulty to view initial and renewal license application questions outside of the actual application process.

Application questions are not available on any of the program websites that the Division manages. Although questions can be viewed through the Division’s online licensing system, accessing the questions requires a person to first create a login, to submit personal information, including the name, Social Security number and date of birth, among other things. Once in the online system, the applicant can select the program for which they would like to view the application. However, links to the application provide a page-by-page view of several questions per page, requiring that the questions be filled out in order to see the next page. In other words, application questions cannot be viewed through the online system without simultaneously filling out the application.

While any interested party can contact the Division and request to see the application questions in advance, this information is not located on any of the Division's websites, and stakeholders indicated that they were not aware that this may be an option.

Further, a survey was provided to licensees as a part of the sunset review process and they were asked,

On a scale of 1 (not helpful) to 5 (helpful), to what extent would it be helpful to have the initial and renewal application questions available online prior to completing the application online?

Out of a total of 19,088 respondents, the average score provided was a "4," indicating that the majority of respondents perceived it would be helpful to have access to application questions in advance.

The fifth sunset criterion asks whether the agency operates in the public interest and whether its operation is impeded or enhanced by existing statutes, rules, procedures, and practices and any other circumstances.

Since the completion of application questions for practitioners regulated by the Division are a required component of licensure, applicants and interested members of the public alike should have access to these questions in a clear and timely manner, as a matter of transparency and efficiency. Therefore, the Division should develop a process whereby licensees and members of the public can easily locate and access application questions.

Appendix A – Regulated Practitioners and Businesses in the Division of Professions & Occupations

The Division of Professions and Occupations (Division) in the Department of Regulatory Agencies houses and provides administrative support to licensing programs that regulate over 60 types of practitioners and businesses, including those in health care and other fields. The following lists enumerate the various types of practitioners and businesses regulated by programs located in the Division.

Health-Care Practitioners

- Acupuncturists
- Addiction Counselors
- Athletic Trainers
- Audiologists
- Chiropractors
- Dental Practitioners
- Direct-Entry Midwives
- Hearing Aid Providers
- Marriage and Family Therapists
- Massage Therapists
- Medical Doctors
- Natural Medicine Facilitators
- Naturopathic Doctors
- Nurses
- Nurse Aides
- Nursing Home Administrators
- Occupational Therapists
- Optometrists
- Pharmacists
- Pharmacy Technicians
- Physical Therapists
- Podiatrists
- Professional Counselors
- Psychologists
- Respiratory Therapists
- Social Workers
- Speech-Language Pathologists
- Surgical Assistants and Surgical Technologists
- Unlicensed Psychotherapists
- Veterinarians

Other Types of Practitioners

- Architects
- Barbers and Cosmetologists
- Certified Public Accountants
- Combative Sports
- Electricians
- Landscape Architects
- Outfitters
- Plumbers
- Professional Engineers
- Professional Land Surveyors
- Radon Professionals

Businesses

- Accountancy
- Architect
- Barber and Cosmetology
- Certified Public Accountant Firms
- Combative Sports
- Electrical
- Funeral and Mortuary Science Services
- Landscape Architect
- Nontransplant Tissue Banks
- Outfitter
- Passenger Tramway
- Plumbing
- Professional Engineer
- Professional Land Surveyor
- Radon Professionals

Appendix B – Board-Model and Director-Model Programs in the Division of Professions and Occupations

The following are complete lists of board-model and director-model programs located within the Division of Professions and Occupations.

Board-Model Programs

- Colorado Dental Board
- Colorado Medical Board
- Colorado Podiatry Board
- Examining Board of Plumbers
- State Board of Accountancy
- State Board of Addiction Counselor Examiners
- State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors
- State Board of Chiropractic Examiners
- State Board of Landscape Architects
- Passenger Tramway Safety Board
- State Board of Licensed Professional Counselor Examiners
- State Board of Marriage and Family Therapist Examiners
- State Board of Nursing
- Board of Examiners of Nursing Home Administrators
- State Board of Optometry
- State Board of Pharmacy
- State Board of Psychologist Examiners
- State Board of Registered Psychotherapists
- State Electrical Board
- State Physical Therapy Board
- State Board of Social Work Examiners
- State Board of Veterinary Medicine

Director-Model Programs

- Office of Acupuncture Licensure
- Office of Athletic Trainer Registration
- Office of Audiology Licensure
- Office of Barber and Cosmetology Licensure
- Office of Boxing
- Office of Direct-Entry Midwifery Registration
- Office of Funeral and Mortuary Science Services
- Office of Hearing Aid Provider Licensure

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- Office of Massage Therapy Licensure
 - Office of Natural Medicine
 - Office of Naturopathic Doctor Registration
 - Office of Nontransplant Tissue Banks
 - Office of Outfitters Registration
 - Office of Occupational Therapy
 - Office of Radon Professionals
 - Office of Respiratory Therapy Licensure
 - Office of Speech-Language Pathology Certification
 - Office of Surgical Assistants and Surgical Technologists Registration

Appendix C – Survey Results

Between July and September 2025, the Colorado Office of Policy, Research and Regulatory Reform staff conducted four surveys: one survey sent to individuals in industry, trade and professional associations; one survey sent to all the licensees within the Division of Professions and Occupations (Division); and two surveys sent to all members of the boards in the Division.

Industry, Trade and Professional Associations Survey

The industry, trade and professional associations survey was sent to 68 email addresses, and 4 emails were returned as undeliverable. The survey received 3 responses, which is a 4.7 percent response rate. Survey results may be found below. Please note that no freeform text responses are included in the survey results.

Please indicate the years of experience working with DPO as a representative of an industry, trade or professional association.

Answer Options	Percentage
1 to 2 years	33.33%
3 to 5 years	0.00%
6 to 10 years	33.33%
11 to 15 years	0.00%
16 to 20 years	33.33%
21 plus years	0.00%

Should all boards in DPO be authorized to develop policies delegating specific tasks to staff to streamline case management and allow the board to take action more quickly when there is a threat to public safety? For example, gathering complaint documentation prior to a board meeting.

Answer Options	Percentage
Not applicable	100.00%
Yes	0.00%
No	0.00%
Other (please specify)	0.00%

Should there be an opportunity for public comment after all regularly scheduled full board meetings with clear guidelines, such as a limit on the number of speakers, a time limit and prohibited topics and conduct?

Answer Options	Percentage
Not applicable	66.67%
Yes	33.33%
No	0.00%
Other (please specify)	0.00%

Licensee Survey

The licensee survey was sent to 492,724 email addresses and 4,052 emails were returned as undeliverable. The survey received 19,243 responses, which is a 4 percent response rate. Survey results may be found below. Please note that no freeform text responses are included in the survey results.

Please indicate your years of experience as a DPO licensee.

Answer Options	Percentage
1 to 2 years	17.76%
3 to 5 years	12.40%
6 to 10 years	12.93%
11 to 15 years	11.89%
16 to 20 years	10.65%
21 plus years	34.36%

As a DPO licensee, do you know what your licensing fees pay for?

Answer Options	Percentage
Yes	38.65%
No	59.50%
Other (please specify)	1.84%

If you answered "no" to the previous question, would you like to know what your licensing fees pay for?

Answer Options	Percentage
Not applicable	30.32%
Yes	51.87%
No	16.78%
Other (please specify)	1.03%

If you answered "yes" to Question 2, would you like more detailed information about what your license fees pay for?

Answer Options	Percentage
Not applicable	17.29%
Yes	51.84%
No	30.17%
Other (please specify)	0.71%

The Division charges \$1 on individual license renewals to fund its Legal Defense Account, which can be used by any program in the Division to help cover the program's legal expenses. The Account can help mitigate the need for large license fees increases due to variable legal costs. The \$1 surcharge was established in the 1990s. As the cost of legal services has increased over time, should the \$1 surcharge also be raised?

Answer Options	Percentage
Yes	27.87%
No	35.01%
I have no opinion	34.21%
Other (please specify)	2.91%

On a scale of 1 (not helpful) to 5 (helpful), to what extent would it be helpful to have the initial and renewal application questions available online prior to completing the application online?

Answer Options	Average
1 through 5 (on a sliding scale)	3.69

If applicable, when you applied for an initial license in Colorado, please rate your experience submitting documents to show international education/training, international work experience, and international credentials.

Answer Options	Percentage
Excellent	18.84%
Good	34.67%
Fair	13.39%
Poor	3.09%
Unacceptable	0.92%
Not Applicable	29.08%

Should all boards in DPO be authorized to develop policies delegating specific tasks to staff to streamline case management and allow the board to take action more quickly when there is a threat to public safety? For example, gathering complaint documentation prior to a board meeting.

Answer Options	Percentage
Yes	56.74%
No	5.88%
I have no opinion	35.65%
Other (please specify)	1.73%

Should there be an opportunity for public comment after all regularly scheduled full board meetings with clear guidelines, such as a limit on the number of speakers, a time limit and prohibited topics and conduct?

Answer Options	Percentage
Yes	56.08%
No	6.56%
I have no opinion	35.35%
Other (please specify)	2.01%

Are you a healthcare licensee?

Answer Options	Percentage
Yes	53.71%
No	41.77%
I do not know	4.51%

The following questions were directed to those who answered “yes” or “I do not know” to the previous question.

As a healthcare licensee, please rate your experience in entering the same or similar information into multiple databases (i.e., DPO Elicense portal, Healthcare Professions Profile Program and/or Prescription Drug Monitoring Program).

Answer Options	Average
1 (easy) through 100 (difficult) (on a sliding scale)	48

Does your licensing Board or program offer a peer assistance program (such as Peer Assistance Services or the Colorado Physician Health Program)?

Answer Options	Percentage
Yes	24.50%
No	11.39%
I do not know	64.11%

If applicable to your profession, are you aware of the services and benefits available to you through the peer assistance program?

Answer Options	Percentage
Yes	63.48%
No	32.73%
Other (please specify)	3.80%

From which source have you received information about the peer assistance program? Please select all that apply.

Answer Options	Percentage
Regulator	16.76%
Peer Assistance Program	22.11%
Colleagues/Coworkers	25.47%
Employer	15.20%
I have not received any information about the peer assistance	32.88%
Other (please specify)	13.05%

How have you received information regarding the peer assistance program benefits available to you?

Answer Options	Percentage
None of the above	30.81%
Email	29.59%
Text	1.94%
Phone Call	2.83%
Newsletter	16.80%
Word of Mouth	27.73%
Other (please specify)	10.93%

Board Members Survey

The first board member survey was sent to 233 email addresses, and no emails were returned as undeliverable. The survey received 43 responses, which is an 18.5 percent response rate. Survey results may be found below. Please note that no freeform text responses are included in the survey results.

Please indicate your years of experience as a Board member for a program in DPO.

Answer Options	Percentage
1 to 2 years	41.46%
3 to 5 years	36.59%
6 to 10 years	19.51%
11 to 15 years	0.00%
16 to 20 years	0.00%
21 plus years	2.44%

Should all boards in DPO be authorized to develop policies delegating specific tasks to staff to streamline case management and allow the board to take action more quickly when there is a threat to public safety? For example, gathering complaint documentation prior to a board meeting.

Answer Options	Percentage
Yes	90.70%
No	0.00%
I have no opinion	2.33%
Other (please specify)	6.98%

Should there be an opportunity for public comment after all regularly scheduled full board meetings with clear guidelines, such as a limit on the number of speakers, a time limit and prohibited topics and conduct?

Answer Options	Percentage
Yes	69.77%
No	6.98%
I have no opinion	11.63%
Other (please specify)	11.63%

Board Members Survey on Contracting

The second board member survey was sent to 65 email addresses, and no emails were returned as undeliverable. The survey received 12 responses, which is an 18.5 percent response rate. Survey results may be found below. Please note that no freeform text responses are included in the survey results.

Several practice acts specifically authorize the regulatory board, as opposed to specifically authorizing the Division or remaining silent, to enter into contracts for peer assistance health programs or examinations. Since the Division typically enters into contracts for the administration of the regulatory programs housed within it, including those with a board, we would like to ascertain your thoughts, as a board member, on this issue. Please select the response that best reflects your thoughts on this matter.

Answer Options	Percentage
The board should have this authority	33.33%
The Division should have this authority	0.00%
The Division should have this authority, but it should consult with the board	50.00%
I have no opinion	16.67%
Other (please specify)	0.00%