



John W. Suthers
Attorney General

Cynthia H. Coffman
Chief Deputy Attorney General

Daniel D. Domenico
Solicitor General

STATE OF COLORADO
DEPARTMENT OF LAW

Office of the Attorney General

Ralph L. Carr
Colorado Judicial Center
1300 Broadway, 10th Floor
Denver, Colorado 80203
Phone (720) 508-6000

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Colorado Secretary of State
Via Electronic Filing

RE: Correction to Effective Date of Physical Therapy Rules 202, 203, 205, 215,
and 313
SOS Tracking No. 2014-00784

Dear Secretary Gessler:

This letter pertains to the agency request for a correction (Tracking No. 2014-00784) filed on behalf of the State Physical Therapy Board (Board) regarding the effective date of Physical Therapy Rules 202, 203, 205, 215, and 303 as codified in 4 CCR 732-1.

The following occurred:

- Amendments to Rules 202, 203, 205, 303, and Permanent Rule 215 were promulgated on July 18, 2014 (Tracking No. 2014-00590). The effective date of these rules is September 2014.
- Amendments to Rules 207 and 213 were promulgated on July 18, 2014. The effective date of these rules is November 2014. (Tracking No. 2014-00590).
- In an August 7, 2014 e-mail correspondence sent to the agency from the SOS, the agency was advised of a problem about the impact that the order of filing would have on the rules.
- Specifically, by filing the document that was to become effective November 2014, before filing the document set to become effective September 2014, this order of filing would impact the rules set to become effective September 2014 (Rules 202, 203, 205, 215, and 303).
- Because the SOS must publish the rules as they are adopted, the agency was advised that this order of filing would result in the undoing of many of the updates that were included in the filing of Tracking No. 2014-00590 when Tracking No. 2014-00090 is published and effective November 2014.

- The agency filed a correction (Tracking No. 2014-00784) that included a directive to replace the clean version of the rules originally filed with Tracking No. 2014-00590 with the version of the rules attached to Tracking No. 2014-00784.

I have determined that the agency took the appropriate corrective measure by filing Tracking No. 2014-00784 so that each rule is published on its effective date. This is a non-substantive error and correctable under section 24-4-103(11)(d)(II), C.R.S. Moreover, this correction does not change the previous Attorney General opinion (issued on April 9, 2014 for rules except for Rule 215 which was newly adopted on July 18, 2014) that these regulations are legal and constitutional.

Please contact me if you need further information or review. Thank you.

Sincerely,

FOR THE ATTORNEY GENERAL

/S/

MAUREEN A. WEST
Assistant Attorney General
Regulatory Law
Business & Licensing
303-866-2434
303-866-5395 (FAX)
Email: maureen.west@state.co.us