



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note Memorandum

TO: Members of the House Health & Human Services Committee
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Fiscal Assessment of Amendments to HB 26-1044

This memorandum is an assessment of the fiscal impact of the attached proposed amendments, L.002, L.003, and L.005 to House Bill 26-1044. This fiscal assessment is for the impact of the bill with inclusion of these amendments only. Any other added amendment could influence the fiscal impact.

Summary of Proposed Amendment

Amendment L.002

Amendment L.002 removes the language permitting the Department of Public Health and Environment (CDPHE) to survey “all” individuals who recently gave birth, while maintaining the ability for the CDPHE to survey additional individuals beyond those currently surveyed under existing law. Amendment L.002 also removes the requirement that the CDPHE develop or approve a statement on respectful maternity care that certain health care facilities would be required to publicly display. The amendment instead requires health facilities to develop and electronically post a statement of birthing parent’s rights, including specific information.

Amendment L.003

Amendment L.003 removes the requirement that health care facilities report instances of severe maternal morbidity (SMM) or death for which there is cause to believe racial discrimination, bias, negligence, or other inequitable treatment contributed to the outcome. It also removes the requirement that the CDPHE investigate these reports, impose administrative penalties, and refer to the appropriate regulatory board if found to have engaged in a discriminatory practice. Lastly, the amendment removes the creation of the Maternal Health Equity Improvement Cash Fund.



Amendment L.005

Amendment L.005 changes the annual reporting requirement for the Maternal Health Task Force back to the existing requirement of every three years.

Fiscal Impact of Amendment

The amendments eliminate SMM reporting, investigation, and enforcement; the statewide birthing parent survey; maternal health oversight and reporting; and the respectful maternity care statement requirements under the introduced bill. As such, relative to the published fiscal note, the amendments:

- decrease state expenditures in the CDPHE and the OIT to an absorbable, minimal workload impact; and
- eliminate the appropriation required for FY 2026-27.

The amendments also eliminate minimal workload impacts to the Department of Personnel and Administration and the Department of Treasury.

Bill's Revised Fiscal Impact with Amendment

As amended, the bill minimally increases workload in the CDPHE and the Department of Regulatory Agencies. No change in appropriations is required. Workload impacts are summarized below.

Table 1
State Fiscal Impacts with Amendments L.002, L.003, and L.005

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

HB1044_L.002

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB26-1044 be amended as follows:

1 Amend printed bill, page 4, line 14, strike "OR ALL PEOPLE" and substitute
2 "INDIVIDUALS".

3 Page 4, strike lines 24 through 27 and substitute:

4 "(1.5) **Statement of rights of birthing parents.**

5 (a) NO LATER THAN JANUARY 1, 2027, A HEALTH FACILITY SHALL
6 MAKE ELECTRONICALLY AVAILABLE TO A BIRTHING PARENT AND A
7 BIRTHING PARENT'S COMPANION OR FAMILY MEMBER, IF APPLICABLE, AND
8 IN PRINT IF REQUESTED:

9 (I) A STATEMENT OF A BIRTHING PARENT'S RIGHTS AND THE
10 COMPONENTS OF RESPECTFUL LABOR AND CHILDBIRTH, INCLUDING:

11 (A) A BIRTHING PARENT'S RIGHT TO BE FREE FROM HARM AND
12 MISTREATMENT;

13 (B) RESPECT FOR A BIRTHING PARENT'S DIGNITY, PRIVACY, AND
14 CONFIDENTIALITY;

15 (C) A BIRTHING PARENT'S RIGHT TO INFORMED CHOICE AND
16 CONSENT;

17 (D) THE RIGHT TO HAVE A BIRTHING COMPANION AND A FAMILY
18 MEMBER WITH THE BIRTHING PARENT DURING BIRTH;

19 (E) EQUITABLE AND HIGH-QUALITY CARE FOR A BIRTHING PARENT
20 THAT IS EVIDENCE-BASED, FREE FROM DISCRIMINATION, AND CULTURALLY
21 SENSITIVE; AND

22 (F) EFFECTIVE COMMUNICATION, DURING WHICH HEALTH-CARE
23 PRACTITIONERS INTRODUCE THEMSELVES, EXPLAIN THEIR ROLES, AND
24 WELCOME QUESTIONS AND CONCERNS FROM A BIRTHING PARENT OR THE
25 BIRTHING PARENT'S BIRTHING COMPANION OR FAMILY MEMBER; AND

26 (II) INFORMATION, INCLUDING TELEPHONE CONTACT".

27 Strike page 5.

28 Page 6, strike lines 7 through 10.

29 Page 6, line 11, strike "(e)" and substitute "(b)".

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HB1044_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB26-1044 be amended as follows:

- 1 Amend printed bill, page 4, line 21, strike "and (2.5)".
- 2 Page 6, strike lines 22 through 27.
- 3 Strike pages 7 through 12.
- 4 Page 13, strike lines 1 through 3.
- 5 Renumber succeeding sections accordingly.
- 6 Page 14, strike lines 19 and 20.
- 7 Renumber succeeding section accordingly.

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HB1044_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB26-1044 be amended as follows:

- 1 Amend printed bill, page 14, line 2, strike "THE" and substitute "SUBJECT
- 2 TO AVAILABLE GRANT FUNDING FOR THE TASK FORCE, THE".

- 3 Page 14, strike lines 10 and 11 and substitute "thereafter, the department
- 4 shall submit a report to the house of".

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Department of Public Health and Environment

Workload in the CDPHE may minimally increase to survey additional individuals beyond those surveyed under existing law; however, this requirement is permissive and does not require an appropriation. CDPHE may also have minimal workload increases associated with codifying the statement of birthing parent's rights in rule which can be accomplished with the normal course of rulemaking.

Department of Regulatory Agencies

Workload in the Division of Professions and Occupations in the Department of Regulatory Agencies will minimally increase to conduct limited rulemaking and provide information and outreach to licensees. These activities are absorbable within existing resources and no additional appropriation is required.