



**Colorado
Legislative
Council
Staff**

HB16-1062

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0750
Prime Sponsor(s): Rep. Melton

Date: January 25, 2016
Bill Status: House Judiciary
Fiscal Analyst: Amanda Hayden (303-866-4918)

BILL TOPIC: LIMITING DISCIPLINARY ACTIONS FOR MENTAL HEALTH PROVIDERS

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	Minimal workload increase and decrease.	
FTE Position Change		
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal workload increase and decrease.		

Summary of Legislation

The bill requires an individual to file a complaint against a mental health professional with the Division of Professions and Occupations (division) in the Department of Regulatory Agencies (DORA) within seven years of an alleged act or failure to act. This bill applies only to complaints against regulated mental health professionals for violations related to the maintenance of adult patients' records. The seven-year limitation does not apply to complaints filed against mental health professionals for other prohibited professional activities. Covered mental health professionals include psychologists, social workers, marriage and family therapists, professional counselors, addiction counselors, and psychotherapists.

State Expenditures

The bill may both increase and decrease workload in DORA; however, any net change is assumed to be minimal and requires no adjustments in appropriations.

Limitations on disciplinary proceedings. The bill may reduce workload in DORA by limiting the ability of the division to commence disciplinary proceedings in some cases. It is assumed, however, that most complaints are filed within seven years of an alleged violation, so any potential decrease in workload will be minimal.

Outreach and rulemaking. The division may have a small amount of workload to update rules and inform regulated mental health professionals about the changes in the bill. This increase in workload is minimal and can be accomplished within existing appropriations.

Effective Date

The bill takes effect July 1, 2016, and applies to complaints or notices filed with the division on or after this date.

State and Local Government Contacts

Counties
Judicial

Corrections
Regulatory Agencies

Human Services