



**Colorado
Legislative
Council
Staff**

HB17-1165

FISCAL NOTE

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

Drafting Number: LLS 17-0722
Prime Sponsor(s): Rep. Lebsock

Date: March 20, 2017
Bill Status: House Business
Fiscal Analyst: Clare Pramuk (303-866-2677)

BILL TOPIC: DORA BOARDS DISCIPLINARY ACTION RESOLUTION PROCESS

Fiscal Impact Summary	FY 2016-2017 <i>(current year)</i>	FY 2017-2018	FY 2018-2019
State Revenue			
State Expenditures	Workload increase.		
FTE Position Change			
Appropriation Required: None.			
Future Year Impacts: Ongoing workload increase.			

Note: This fiscal note is provided pursuant to Joint Rule 22 (b) (2) and reflects strike-below Amendment L.002.

Summary of Legislation

This bill modifies the disciplinary procedures for six health care boards for health care professionals with prescriptive authority (health care prescriber boards) within the Department of Regulatory Agencies (DORA). The prescriber boards affected include the:

- Colorado Podiatry Board;
- Colorado Dental Board;
- Colorado Medical Board;
- State Board of Nursing;
- State Board of Optometry; and
- State Board of Veterinary Medicine.

The bill establishes the following deadlines for the health care prescriber boards unless a board has more protective provisions:

- Within 15 days of receipt of a complaint, the board must provide the complainant with a written notice that includes contact information for the board, a summary of the complaint process and the complainant's rights, including a patient's right to receive a copy of his or her patient records.

- If an investigation was initiated as a result of a complaint and the board took public, formal action, the board must provide the complainant with written notice of the action within 30 days of the action.
- If a complaint is still pending after six months, the board is required to notify the complainant that the complaint is still pending, subject to applicable restrictions in the board's governing law.
- Each prescriber board is required to update its website at least monthly to list the status of each of its licensees.

If relevant to a complaint, the bill requires that licensees provide a prescriber board with patient records within 30 days of a board request for the records. DORA will report on the performance of the changes to the boards' processes and procedures at its 2017 SMART Act hearing.

Finally, the bill requires insurance carriers to update their participating provider lists monthly to remove providers whose licenses have been suspended or revoked.

State Expenditures

This bill will increase workload in the Division of Professions and Occupations in DORA beginning in FY 2016-17.

The division will have an increase in workload to adjust its administrative procedures to comply with the bill as well as additional preparation for its 2017 SMART Act to report on its progress in complaint handling. This workload increase is minimal and can be accomplished within existing appropriations.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Information Technology
Personnel

Law
Regulatory Agencies