



Legislative Council Staff

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FISCAL NOTE

Drafting Number: LLS 18-0882
Prime Sponsors: Rep. Melton

Date: February 15, 2018
Bill Status: House Public Health Care and Human Services
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Bill Topic: MENTAL HEALTH PROFESSIONAL DISMISSED COMPLAINT CORA ACCESS

- Summary of Fiscal Impact: State Revenue (minimal), State Expenditure (minimal), State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill creates an exception to Colorado Open Records Law to allow a mental health professional who is a respondent to a dismissed complaint to access the Division of Professions and Occupations or regulatory board's complaint file. It creates a minimal increase in state revenue and workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

This bill creates an exception to Colorado Open Records Act (CORA) to allow a mental health professional who is a respondent to a dismissed complaint to access the Division of Professions and Occupations or regulatory board's complaint file. The names of the respondent's clients or other recipients of service contained in the file cannot be redacted. The boards subject to the bill include:

- State Board of Psychologist Examiners;
State Board of Social Work Examiners;
State Board of Licensed Professional Counselor Examiners;
State Board of Marriage and Family Therapist Examiners;
State Board of Registered Psychotherapists; and
State Board of Addiction Counselor Examiners.

State Revenue and Expenditures

Under current law, the Division of Professions and Occupations and regulatory boards in the Department of Regulatory Agencies (DORA) do not release files on a dismissed complaint. This bill will increase workload for the division and regulatory board staff to copy and send out

complaint files and conduct education and outreach to licensees on the law change. To the extent that additional CORA requests are received, DORA may have increased revenue from requestor fees. The bill does not require additional appropriations.

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Information Technology

Law

Regulatory Agencies