

CHAPTER 144

HEALTH AND ENVIRONMENT

SENATE BILL 18-149

BY SENATOR(S) Gardner, Aguilar, Crowder, Jahn, Lambert, Martinez Humenik, Moreno, Tate;
also REPRESENTATIVE(S) Gray and Herod, Buckner, Exum, Garnett, Hansen, Kennedy, Lontine, Michaelson Jenet, Rosenthal.

AN ACT

CONCERNING RECORDS OF THE BOARD OF DIRECTORS OF THE DENVER HEALTH AND HOSPITAL AUTHORITY.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **amend 25-29-109** as follows:

25-29-109. Records of board of directors. ~~Records of the authority are subject to the open records law under article 72 of title 24 C.R.S.~~ ALL RESOLUTIONS SHALL BE RECORDED AND AUTHENTICATED BY THE SIGNATURE OF THE SECRETARY OF THE BOARD OF DIRECTORS. THE RESOLUTIONS AND OTHER PROCEEDINGS OF THE BOARD OF DIRECTORS, MINUTES OF THE BOARD MEETINGS, ANNUAL REPORTS AND FINANCIAL STATEMENTS, CERTIFICATES, CONTRACTS AND FINANCIAL AGREEMENTS, EMPLOYEE SALARIES, AND BONDS GIVEN BY OFFICERS, EMPLOYEES, AND ANY OTHER AGENTS OF THE AUTHORITY, AND ANY PERSONNEL REPORTS, GUIDELINES, MANUALS, OR HANDBOOKS, OTHER THAN INDIVIDUAL PERSONNEL FILES, ARE A PUBLIC RECORD AS DEFINED IN SECTION 24-72-202 (6) AND SUBJECT TO PART 2 OF ARTICLE 72 OF TITLE 24. THE ACCOUNT OF ALL MONEY RECEIVED BY AND DISBURSED ON BEHALF OF THE AUTHORITY IS ALSO A PUBLIC RECORD. NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE CONTENT OF AN ELECTRONIC MEDICAL RECORD SYSTEM AND INDIVIDUAL MEDICAL RECORDS OR MEDICAL INFORMATION IS NOT A PUBLIC RECORD AND ALL WRITINGS AND OTHER RECORDS CONCERNING THE MODIFICATION, INITIATION, OR CESSATION OF PATIENT CARE AND AUTHORITY HEALTH CARE PROGRAMS OR INITIATIVES SHALL NOT BE DEEMED TO BE A PUBLIC RECORD IF PREMATURE DISCLOSURE OF INFORMATION CONTAINED IN SUCH WRITINGS OR OTHER RECORDS WOULD GIVE AN UNFAIR COMPETITIVE OR BARGAINING ADVANTAGE TO ANY PERSON OR ENTITY.

SECTION 2. Act subject to petition - effective date. This act takes effect at

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 23, 2018