



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 19-1019 Date: April 3, 2019
Prime Sponsors: Sen. Foote; Tate Bill Status: Senate HHS
Rep. Snyder Fiscal Analyst: Chris Creighton | 303-866-5834
Chris.Creighton@state.co.us

Bill Topic: HEALTHCARE PROVIDER LIENS

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

This bill creates a healthcare provider lien. This bill increases state revenue and expenditures by a minimal amount on an ongoing basis.

Appropriation Summary: No appropriation required.

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

Summary of Legislation

This bill creates a healthcare provider lien. A healthcare provider lien is a lien created by a healthcare provider for charges for medical care provided to a person injured by the negligence or wrongful act of another person.

A healthcare lien cannot exceed the cost of the health services provided and may not include any surcharges, finance charges, or interest. A healthcare provider lien may be assigned to another person or entity and such assignment is not discoverable or admissible as evidence in any third-party civil claim.

State Revenue

Beginning in FY 2019-20, this bill increases Judicial Department civil filing fee revenue by a minimal amount from increased civil filings seeking to enforce or challenge a healthcare provider lien. The exact revenue impact will depend on the number of civil filings and the amount of damages sought.

county or district court, while cases seeking damages over \$25,000 must be filed in district court. Civil filing fees are subject to TABOR; however, under the March 2019 Legislative Council Staff forecast, a TABOR surplus is not expected in FY 2019-20 or FY 2020-21.

State Expenditures

Beginning in FY 2019-20, this bill minimally increases Judicial Department and Department of Regulatory Agencies workload as described below.

Judicial Department. Workload for the trial courts in the Judicial Department will increase to process any healthcare provider lien civil court filings. Because civil filings already occur for other liens such as a hospital lien, and a judge can process over 500 civil filings per year, this increase is expected to be minimal and can be accomplished within existing resources.

Department of Regulatory Agencies. Workload in the Division of Professions and Occupations will increase by a minimal amount to update materials, respond to inquiries, and provide outreach to education healthcare providers about the healthcare provider lien. This workload can be accomplished within existing resources.

Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Corrections	Counties	Human Services
Information Technology	Judicial	Municipalities
Personnel	Public Health and Environment	Regulatory Agencies