



**Colorado  
Legislative  
Council  
Staff**

**HB16-1062**

**FINAL  
FISCAL NOTE**

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

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

**Date:** June 29, 2016  
**Bill Status:** Postponed Indefinitely  
**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.	
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal workload increase and decrease.		

**NOTE:** This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

**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 was postponed indefinitely by the House Judiciary Committee on February 2, 2016.

## **State and Local Government Contacts**

Counties  
Judicial

Corrections  
Regulatory Agencies

Human Services