

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 17-0771.01 Jerry Barry x4341

**HOUSE BILL 17-1185**

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**HOUSE SPONSORSHIP**

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**Smallwood,**

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**House Committees**

Public Health Care & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING REPORTS OF SUSPECTED CHILD ABUSE OR NEGLECT.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Under current law, certain identified persons are mandated to report if they know or suspect that a child has been subject to abuse or neglect (mandatory reporters). If a mandatory reporter continues to be involved with a child who was the subject of the report, he or she is entitled to access to records and reports of the abuse or neglect. The bill adds to the list of mandatory reporters officials and employees of county departments of health, human services, or social services.

Current law requires the county department of human or social

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

HOUSE  
3rd Reading Unamended  
March 27, 2017

HOUSE  
Amended 2nd Reading  
March 24, 2017

services to report certain information to a mandatory reporter within 30 days after the filing of a report. The bill extends the period to 60 days.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-1-307, **amend**  
3 (2)(e.5)(I) introductory portion, (2)(e.5)(I)(N), (2)(e.5)(I)(O), and  
4 (2)(e.5)(II) introductory portion; and **add** (2)(e.5)(I)(P) as follows:

5 **19-1-307. Dependency and neglect records and information -**  
6 **access - fee - rules - records and reports fund - misuse of information**  
7 **- penalty. (2) Records and reports - access to certain persons -**  
8 **agencies.** Except as otherwise provided in section 19-1-303, only the  
9 following persons or agencies shall be given access to child abuse or  
10 neglect records and reports:

11 (e.5) (I) A mandatory reporter specified in this ~~subparagraph (I)~~  
12 SUBSECTION (2)(e.5)(I) who is and continues to be officially and  
13 professionally involved in the ongoing care of the child who was the  
14 subject of the report, but only with regard to information that the  
15 mandatory reporter has a need to know in order to fulfill his or her  
16 professional and official role in maintaining the child's safety. A county  
17 department shall request written affirmation from a mandatory reporter  
18 stating that the reporter continues to be officially and professionally  
19 involved in the ongoing care of the child who was the subject of the  
20 report and describing the nature of the involvement, unless the county  
21 department has actual knowledge that the mandatory reporter continues  
22 to be officially and professionally involved in the ongoing care of the  
23 child who was the subject of the report. This ~~subparagraph (I)~~  
24 SUBSECTION (2)(e.5)(I) applies to:

25 (N) Educators providing services through a federal special

1 supplemental nutrition program for women, infants, and children, as  
2 provided for in 42 U.S.C. sec. 1786; and

3 (O) A person who is registered as a psychologist candidate  
4 pursuant to section 12-43-304 (7), ~~C.R.S.~~, marriage and family therapist  
5 candidate pursuant to section 12-43-504 (5), ~~C.R.S.~~, or licensed  
6 professional counselor candidate pursuant to section 12-43-603 (5),  
7 ~~C.R.S.~~, or who is described in section 12-43-215; ~~C.R.S.~~ AND

8 (P) OFFICIALS OR EMPLOYEES OF COUNTY DEPARTMENTS OF  
9 HEALTH, HUMAN SERVICES, OR SOCIAL SERVICES.

10 (II) Within ~~thirty~~ SIXTY calendar days after receipt of a report of  
11 suspected child abuse or neglect from a mandatory reporter specified in  
12 ~~subparagraph (I) of this paragraph (e.5)~~ SUBSECTION (2)(e.5)(I) OF THIS  
13 SECTION, a county department shall provide the following information to  
14 the mandatory reporter for the purpose of assisting the mandatory reporter  
15 in his or her professional and official role in maintaining the child's  
16 safety:

17 **SECTION 2.** In Colorado Revised Statutes, 19-3-304, **amend**  
18 (2)(jj) and (2)(kk); and **add** (2)(ll) as follows:

19 **19-3-304. Persons required to report child abuse or neglect.**

20 (2) Persons required to report such abuse or neglect or circumstances or  
21 conditions include any:

22 (jj) Person who is registered as a psychologist candidate pursuant  
23 to section 12-43-304 (7), ~~C.R.S.~~, marriage and family therapist candidate  
24 pursuant to section 12-43-504 (5), ~~C.R.S.~~, or licensed professional  
25 counselor candidate pursuant to section 12-43-603 (5), ~~C.R.S.~~, or who is  
26 described in section 12-43-215; ~~C.R.S.~~; and

27 (kk) Emergency medical service providers, as defined in sections

1 25-3.5-103 (8) and 25-3.5-103 (12), ~~C.R.S.~~, and certified pursuant to part  
2 of article 3.5 of title 25; ~~C.R.S.~~ AND

3 (II) OFFICIALS OR EMPLOYEES OF COUNTY DEPARTMENTS OF  
4 HEALTH, HUMAN SERVICES, OR SOCIAL SERVICES.

5 **SECTION 3. Act subject to petition - effective date.** This act  
6 takes effect **December 31, 2017**; except that, if a referendum petition is  
7 filed pursuant to section 1 (3) of article V of the state constitution against  
8 this act or an item, section, or part of this act within the ninety-day period  
9 after final adjournment of the general assembly, then the act, item,  
10 section, or part will not take effect unless approved by the people at the  
11 general election to be held in November 2018 and, in such case, will take  
12 effect on the date of the official declaration of the vote thereon by the  
13 governor.