

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-1247.01 Jerry Barry x4341

HOUSE BILL 18-1405

HOUSE SPONSORSHIP

Lee,

SENATE SPONSORSHIP

Gardner,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN EXCEPTION FROM THE MANDATORY REPORTING**
102 **REQUIREMENTS FOR PERSONS PROVIDING LEGAL ASSISTANCE TO**
103 **AREA AGENCIES ON AGING.**

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, staff, and staff of contracted providers, of area agencies on aging are mandatory reporters of the mistreatment of an at-risk elder or an at-risk adult with an intellectual and developmental disability. The bill creates a mandatory reporter exception for providers of legal assistance and their staff.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-6.5-108, **amend**
3 (1)(b)(XVII) as follows:

4 **18-6.5-108. Mandatory reports of mistreatment of at-risk**
5 **elders and at-risk adults with IDD - list of reporters - penalties.**

6 (1) (b) The following persons, whether paid or unpaid, shall report as
7 required by subsection (1)(a) of this section:

8 (XVII) Staff, and staff of contracted providers, of area agencies
9 on aging, except ATTORNEYS AT LAW PROVIDING LEGAL ASSISTANCE TO
10 INDIVIDUALS PURSUANT TO A CONTRACT WITH AN AREA AGENCY ON
11 AGING, THE STAFF OF SUCH ATTORNEYS AT LAW, AND the long-term care
12 ombudsmen;

13 **SECTION 2. Act subject to petition - effective date.** This act
14 takes effect September 1, 2018; except that, if a referendum petition is
15 filed pursuant to section 1 (3) of article V of the state constitution against
16 this act or an item, section, or part of this act within the ninety-day period
17 after final adjournment of the general assembly, then the act, item,
18 section, or part will not take effect unless approved by the people at the
19 general election to be held in November 2018 and, in such case, will take
20 effect on the date of the official declaration of the vote thereon by the
21 governor.