



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 22-0515 Date: June 14, 2022
Prime Sponsors: Rep. Bradfield Bill Status: Postponed Indefinitely
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Bill Topic: TEMPORARY PROXY MEDICAL DECISION-MAKERS

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

The bill would have allowed physicians and healthcare facilities to assign temporary proxy decision-makers for patients who are unable to provide consent about receiving or refusing medical treatment.

Appropriation Summary: No appropriation would have been required.

Fiscal Note Status: The fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

Current law allows a proxy decision-maker to be assigned for medical treatment decisions of an individual who lacks capacity to provide informed consent about receiving or refusing medical treatment.

This bill allows attending physicians or healthcare facilities to assign a temporary decision-maker for medical decisions when interested individuals are unable to come to a timely consensus, or if the physician or healthcare facility is unable to identify a person who can make medical decisions on behalf of the patient.

State Expenditures

The bill minimally increases workload for the Department of Human Services in FY 2022-23, and minimally decreases workload for the Judicial Department on an ongoing basis.

Department of Human Services. The department will have a workload increase to develop and deliver training about the new requirements to county adult protective services programs, and to update related data systems that track legal authority relationships. These costs can be absorbed within existing appropriations.

Judicial Department. The bill may reduce workload in trial courts because of reductions in the number of cases filed for guardianship in instances where interested individuals are unable to come to consensus about a proxy decision-maker. This potential reduction does not require a change in appropriations.

Local Government

In FY 2022-23, counties will update policies and procedures to reflect changes to adult protective services programs.

Effective Date

This bill was postponed indefinitely by the House Public and Behavioral Health and Human Services Committee on February 22, 2022.

State and Local Government Contacts

Counties	Health Care Policy and Financing
Higher Education	Human Services
Information Technology	Judicial
Law	Municipalities
Public Health and Environment	