



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**HB 18-1065**

**FISCAL NOTE**

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<b>Drafting Number:</b>	LLS 18-0462	<b>Date:</b>	January 25, 2018
<b>Prime Sponsors:</b>	Rep. Beckman; Buckner	<b>Bill Status:</b>	House Judiciary
		<b>Fiscal Analyst:</b>	Kori Donaldson   303-866-4976 Kori.Donaldson@state.co.us

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**Bill Topic:** DHS EMPLOYEE DISCIPLINE HARM TO VULNERABLE PERSONS

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**Summary of Fiscal Impact:** **No Fiscal Impact.** This bill makes it easier for the Department of Human Services to fire an employee who is found to have harmed a vulnerable person in his or her care. It does not change the department's existing disciplinary action process.

**Appropriation Summary:** No appropriation is required.

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

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**Summary of Legislation**

This bill directs the Department of Human Services (department) to prioritize the safety of vulnerable persons when it considers taking disciplinary action against an employee. It also allows the department to more easily suspend or dismiss an employee that is found to have mistreated a person in his or her care.

**Background**

The department uses a system of progressive discipline to address concerns with employee performance or conduct. A progressive discipline system typically imposes increasingly severe penalties, up to and including suspension or dismissal, for repeated offenses. An employee can protest a finding by the department through the Office of Administrative Courts within the Department of Personnel and Administration.

**Assessment of No Fiscal Impact**

This bill will not change how the department documents and acts on disciplinary concerns with its employees. It also does not change how an employee can challenge a disciplinary action taken by the department. However, the bill lowers the burden of proof required by an Administrative Law Judge in the Office of Administrative Courts to uphold a finding by the department resulting in the suspension or dismissal of an individual that is found to have mistreated a vulnerable person in his or her care. This fiscal note assumes that the changes in the bill will not increase the number of disciplinary cases or the disciplinary action recommended by the department as the result of these cases. Furthermore, this fiscal note assumes that the bill will not change the number of hearings held by the Office of Administrative Courts.

**Effective Date**

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed.

**State and Local Government Contacts**

Human Services

Law

Personnel