

SB040\_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

SB23-040 be amended as follows:

1 Amend printed bill, page 4, after line 13 insert:

2 "SECTION 2. In Colorado Revised Statutes, 26-3.1-102, **amend**  
3 (7)(b)(VII) as follows:

4 **26-3.1-102. Reporting requirements.** (7) (b) Disclosure of a  
5 report of the mistreatment or self-neglect of an at-risk adult and  
6 information relating to an investigation of such a report and subsequent  
7 cases resulting from the report is permitted only when authorized by a  
8 court for good cause. A court order is not required, and such disclosure  
9 is not prohibited, when:

10 (VII) The disclosure is made to the at-risk adult who is the subject  
11 of the report, or if the at-risk adult is otherwise incompetent at the time  
12 of the request, to the guardian or guardian ad litem for the at-risk adult  
13 who is the subject of the report. The information disclosed pursuant to  
14 this subsection (7)(b)(VII) must not be disclosed until after the  
15 investigation is complete and must not include any identifying  
16 information related to the reporting party or any other appropriate  
17 persons. If the guardian is the substantiated perpetrator in a case of  
18 mistreatment of an at-risk adult, the disclosure must not be made without  
19 authorization by ~~the~~ A court for good cause UNLESS THE DISCLOSURE IS  
20 BEING MADE FOR THE PURPOSES OF THE GUARDIAN'S APPEAL PROCESS  
21 DESCRIBED IN SUBSECTION (7)(b)(V) OF THIS SECTION. If the court  
22 authorizes the release of information to a substantiated perpetrator, any  
23 protected or confidential information pursuant to federal or state law must  
24 not be disclosed."

25 Renumber succeeding sections accordingly.

\*\* \*\* \*\* \*\* \*\*