

CHAPTER 110

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 06-097

BY SENATOR(S) Williams, Kester, Johnson, Evans, Shaffer, Hanna, and Tapia;
also REPRESENTATIVE(S) Berens, Todd, Green, Decker, Sullivan, Borodkin, Boyd, Carroll M., Carroll T., Cerbo, Gallegos,
Hodge, Lindstrom, Riesberg, and Stafford.

AN ACT

CONCERNING REPORTS RELATED TO INCIDENTS AT LICENSED LONG-TERM CARE FACILITIES.

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

SECTION 1. 25-1-124, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

25-1-124. Health care facilities - consumer information - reporting - release.

(2.5) (a) IN ADDITION TO THE REPORTS REQUIRED BY SUBSECTION (2) OF THIS SECTION, IF THE COLORADO ATTORNEY GENERAL, THE DIVISION FOR DEVELOPMENTAL DISABILITIES IN THE DEPARTMENT OF HUMAN SERVICES, A COMMUNITY CENTERED BOARD, AN ADULT PROTECTION SERVICE, OR A LAW ENFORCEMENT AGENCY MAKES A REPORT OF AN OCCURRENCE AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION INVOLVING A LICENSED LONG-TERM CARE FACILITY THAT REPORT SHALL BE PROVIDED TO THE DEPARTMENT AND SHALL BE MADE AVAILABLE FOR INSPECTION CONSISTENT WITH THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION. ANY REPORTS CONCERNING ADULT PROTECTION SERVICE SHALL BE IN COMPLIANCE WITH THE CONFIDENTIALITY REQUIREMENTS OF SECTION 26-3.1-102 (7), C.R.S.

(b) FOR PURPOSES OF THIS SUBSECTION (2.5), A "LICENSED LONG-TERM CARE FACILITY" MEANS A LICENSED COMMUNITY RESIDENTIAL OR GROUP HOME, A LICENSED INTERMEDIATE CARE FACILITY FOR THE MENTALLY RETARDED, AND A LICENSED FACILITY FOR PERSONS WITH DEVELOPMENTAL DISABILITIES.

(8) IN ADDITION TO THE REPORT TO THE DEPARTMENT FOR AN OCCURRENCE DESCRIBED IN PARAGRAPH (d) OF SUBSECTION (2) OF THIS SECTION, THE OCCURRENCE SHALL BE REPORTED TO A LAW ENFORCEMENT AGENCY.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 6, 2006