

CHAPTER 110

HEALTH CARE POLICY AND FINANCING

SENATE BILL 12-074

BY SENATOR(S) Aguilar, Boyd, Carroll, Foster, Giron, Guzman, Heath, Jahn, Morse, Newell, Nicholson, Spence, Steadman, Tochtrop, White, Williams S.;
also REPRESENTATIVE(S) Gardner B., Fischer, Kefalas, Kerr J., Labuda, Massey, Young.

AN ACT

CONCERNING SERVICES PROVIDED BY A PERSON DESIGNATED BY A PERSON ELIGIBLE FOR CONSUMER-DIRECTED CARE SERVICES.

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

SECTION 1. In Colorado Revised Statutes, 15-14-310, **amend** (5) (a) as follows:

15-14-310. Who may be guardian - priorities - prohibition of dual roles.

(5) (a) Unless the court makes specific findings for good cause shown or the person is a family caregiver as defined in section 27-10.5-102 (15.5), C.R.S., OR THE PERSON IS A CAREGIVER TO AN ELIGIBLE PERSON PURSUANT TO SECTION 25.5-6-1101 (4), C.R.S., the same professional may not act as an incapacitated person's or a protected person's:

- (I) Guardian and conservator; or
- (II) Guardian and direct service provider; or
- (III) Conservator and direct service provider.

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 13, 2012

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