

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0237.01 Eden Rolland x2373

**HOUSE BILL 26-1107**

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**HOUSE SPONSORSHIP**

**Feret and Paschal,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Health & Human Services  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO INCREASE ACCESS TO SERVICES IN**  
102 **FACILITIES THAT PROVIDE MEDICAL CARE.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

**Sections 1 and 4** of the bill establish information disclosure requirements for a licensed facility that advertises, markets, promotes, or offers services, including memory care services, for individuals with dementia and dementia-related conditions, including Alzheimer's disease. The bill refers to such a facility or agency as a "dementia care facility".

The bill requires the department of public health and environment

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

(department), in consultation with the state long-term care ombudsman or the ombudsman's designee, to create a dementia care services information form (form) by January 1, 2027. The form must include fields for the disclosure of certain information regarding a dementia care facility's dementia care services, including the facility's:

- Dementia training requirements for staff that are in addition to statutory training requirements;
- Guidelines for using restraints; and
- Security features and procedures for addressing the needs of residents with dementia.

The bill authorizes the department to regularly review the form and update it as needed. After creating or subsequently updating the form, the department must provide the form to every dementia care facility in the state.

The bill requires a dementia care facility to complete the form with responsive, accurate, and complete information regarding the facility's dementia care services. Beginning July 1, 2027, every dementia care facility must:

- Provide its completed form to every individual who contacts the facility seeking dementia care services;
- Review and update the form when a change in information occurs to ensure that the facility's information provided on the form is current, complete, and correct;
- Publish the facility's current version of the completed form on the facility's website; and
- At all times, maintain on the facility's premises and have available for inspection a copy of the facility's completed form with the facility's most current information and produce the form upon request by the department during a survey or inspection of the facility.

The bill establishes a facility's violation of the last itemized requirements regarding the form as a deceptive trade practice under the "Colorado Consumer Protection Act".

Currently, the department has the power to establish and maintain by rule a medication administration program in certain licensed or regulated facilities. Current law requires the department of human services, the behavioral health administration, the department of health care policy and financing, and the department of corrections to develop and conduct a medication administration program in certain types of residential, assisted living, and correctional facilities.

**Sections 5 and 6** modify the definition of "administration" to include administration of medication specifically by injection and allow a licensed practical nurse (LPN) or a certified nurse aide (CNA) to administer medication by injection as part of a medication administration program if the LPN or CNA receives education and training on

administering medication by injection.

The bill requires the department, in consultation with the state board of nursing, to establish by rule the education and training required for an LPN or a CNA to obtain the authorization created by the bill to administer medication by injection. A facility may not require that a registered nurse be on site as a prerequisite to an LPN or CNA administering medication by injection.

The bill also adds all facilities and agencies licensed and regulated by the department to the list of specified facilities that can have a medication administration program.

**Sections 2 and 3** modify the scope of practice for CNAs to include the administration of medication by injection as authorized under the bill.

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

**SECTION 1.** In Colorado Revised Statutes, 6-1-105, **add**  
(1)(qqqq) as follows:

**6-1-105. Unfair or deceptive trade practices - definitions.**

(1) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(qqqq) VIOLATES SECTION 25-1-124.3 (3)(b)(V).

**SECTION 2.** In Colorado Revised Statutes, **add** 25-1-124.3 as follows:

**25-1-124.3. Dementia care services - information disclosure form - requirements - gifts, grants, or donations - definitions.**

(1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DEMENTIA CARE FACILITY" OR "FACILITY" MEANS A FACILITY THAT IS LICENSED BY THE DEPARTMENT PURSUANT TO SECTION 25-1.5-103 AND THAT PUBLICLY ADVERTISES, MARKETS, PROMOTES, OR OFFERS SERVICES FOR DEMENTIA DISEASES AND RELATED DISABILITIES, INCLUDING MEMORY CARE SERVICES.

1 (b) "DEMENTIA DISEASES AND RELATED DISABILITIES" OR  
2 "DEMENTIA" HAS THE MEANING SET FORTH IN SECTION 25-1-502 (2.5).

3 (c) "FORM" MEANS THE DEMENTIA CARE SERVICES INFORMATION  
4 FORM CREATED BY THE DEPARTMENT PURSUANT TO SUBSECTION (2)(a) OF  
5 THIS SECTION.

6 (d) "STATE LONG-TERM CARE OMBUDSMAN" MEANS THE STATE  
7 LONG-TERM CARE OMBUDSMAN ESTABLISHED PURSUANT TO ARTICLE 11.5  
8 OF TITLE 26 OR THE STATE LONG-TERM CARE OMBUDSMAN'S DESIGNEE.

9 (2) **Dementia care services information form.**

10 (a) BY JANUARY 1, 2027, THE DEPARTMENT SHALL CREATE A  
11 DEMENTIA CARE SERVICES INFORMATION FORM FOR DEMENTIA CARE  
12 FACILITIES TO COMPLETE AND DISTRIBUTE IN ACCORDANCE WITH  
13 SUBSECTION (3) OF THIS SECTION. THE FORM MUST INCLUDE FIELDS FOR  
14 THE DISCLOSURE OF INFORMATION REGARDING THE DEMENTIA CARE  
15 FACILITY'S SERVICES. AT A MINIMUM, THE FORM MUST INCLUDE FIELDS  
16 FOR EACH OF THE FOLLOWING ELEMENTS:

17 (I) THE FACILITY'S REQUIREMENTS FOR DEMENTIA TRAINING FOR  
18 THE FACILITY'S STAFF THAT ARE IN ADDITION TO THE DEMENTIA TRAINING  
19 REQUIRED PURSUANT TO SECTION 25-1.5-118;

20 (II) THE FACILITY'S GUIDELINES FOR USING PHYSICAL AND  
21 CHEMICAL RESTRAINTS IN THE COURSE OF PROVIDING CARE TO RESIDENTS  
22 LIVING WITH DEMENTIA;

23 (III) THE FACILITY'S SECURITY FEATURES AND SECURITY  
24 PROCEDURES FOR ADDRESSING THE NEEDS OF RESIDENTS WITH DEMENTIA,  
25 INCLUDING WANDERING AND EMERGENCY RESPONSE;

26 (IV) THE CRITERIA AND PROCESSES THE FACILITY USES TO  
27 DETERMINE THE PLACEMENT, TRANSFER, OR DISCHARGE OF RESIDENTS

1 LIVING WITH DEMENTIA;

2 (V) A DESCRIPTION OF HOW THE FACILITY INVOLVES FAMILY  
3 MEMBERS, ESPECIALLY FAMILY CAREGIVERS, IN THE ACTIVITIES AND CARE  
4 OF RESIDENTS LIVING WITH DEMENTIA;

5 (VI) A DESCRIPTION OF HOW AND WHEN A RESIDENT'S AUTHORIZED  
6 REPRESENTATIVE IS NOTIFIED OF INCIDENTS OR CONCERNS, INCLUDING  
7 MEDICAL CONCERNS, SAFETY CONCERNS, AND OTHER CONCERNS;

8 (VII) A DESCRIPTION OF THE FACILITY'S ON-SITE AND ON-CALL  
9 MEDICAL PROFESSIONALS;

10 (VIII) A STATEMENT IDENTIFYING SOURCES, INCLUDING A LINK TO  
11 THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES' "CARE  
12 COMPARE" WEBSITE, OR ANY SUCCESSOR WEBSITE, THAT AN INDIVIDUAL  
13 MAY CONSULT TO FIND INFORMATION ABOUT:

14 (A) PAST ENFORCEMENT ACTIONS OR COMPLAINTS, IF ANY, THAT  
15 RESULTED IN THE DEPARTMENT ISSUING WARNINGS OR FINES; AND

16 (B) THE HEALTH-CARE COVERAGE PAYER SOURCES THAT THE  
17 FACILITY ACCEPTS, INCLUDING WHETHER THE FACILITY ACCEPTS PAYMENT  
18 FROM PRIVATE INSURANCE PLANS, THROUGH MEDICAID, OR THROUGH THE  
19 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS;

20 (IX) AN EXPLANATION OF THE FACILITY'S FEE SCHEDULE,  
21 INCLUDING THE FEES CHARGED TO RESIDENTS AND WHAT SERVICES ARE  
22 AND ARE NOT COVERED BY FEES. THE EXPLANATION MUST INCLUDE  
23 DETAILS ABOUT WHEN AND HOW A RESIDENT AND THE RESIDENT'S  
24 AUTHORIZED REPRESENTATIVE WILL BE NOTIFIED OF ANY CHANGE TO THE  
25 FEES.

26 (X) ANY ADDITIONAL INFORMATION REGARDING DEMENTIA CARE  
27 SERVICES THAT THE DEPARTMENT DEEMS NECESSARY.

1 (b) THE DEPARTMENT SHALL CREATE THE FORM DESCRIBED IN  
2 SUBSECTION (2)(a) OF THIS SECTION IN CONSULTATION WITH THE STATE  
3 LONG-TERM CARE OMBUDSMAN. THE DEPARTMENT MAY CONSULT WITH  
4 ANY OTHER STATE DEPARTMENT OR ORGANIZATION AS THE DEPARTMENT  
5 DEEMS NECESSARY.

6 (c) THE DEPARTMENT MAY REVIEW AND UPDATE THE FORM TO  
7 ENSURE THAT THE FORM FACILITATES THE DISCLOSURE OF THE  
8 INFORMATION SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION.

9 (d) AS SOON AS PRACTICABLE AFTER CREATING OR UPDATING THE  
10 FORM PURSUANT TO THIS SUBSECTION (2), THE DEPARTMENT SHALL  
11 PROVIDE THE FORM OR THE MOST RECENTLY UPDATED VERSION OF THE  
12 FORM TO EVERY DEMENTIA CARE FACILITY.

13 (e) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,  
14 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE  
15 PURPOSES STATED IN THIS SUBSECTION (2) OR SUBSECTION (4) OF THIS  
16 SECTION.

17 (3) **Duty to distribute dementia care information.**

18 (a) A DEMENTIA CARE FACILITY SHALL COMPLETE THE DEMENTIA  
19 CARE SERVICES INFORMATION FORM CREATED OR UPDATED BY THE  
20 DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION WITH  
21 RESPONSIVE, ACCURATE, AND COMPLETE INFORMATION REGARDING THE  
22 FACILITY'S DEMENTIA CARE SERVICES.

23 (b) BEGINNING JULY 1, 2027, A DEMENTIA CARE FACILITY SHALL:

24 (I) PROVIDE THE FACILITY'S COMPLETED DEMENTIA CARE SERVICES  
25 INFORMATION FORM TO AN INDIVIDUAL WHO CONTACTS THE FACILITY  
26 SEEKING DEMENTIA CARE SERVICES, WHETHER THE INDIVIDUAL IS SEEKING  
27 DEMENTIA CARE SERVICES FOR THEMSELF, FOR A FAMILY MEMBER, OR FOR

1 SOMEONE WHO IS NOT A FAMILY MEMBER;

2 (II) REVIEW THE FORM WHEN THE FACILITY'S INFORMATION  
3 CHANGES, AND NO LESS THAN ONCE EVERY FIVE YEARS, TO ENSURE THAT  
4 THE INFORMATION PROVIDED ON THE FORM IS CURRENT, COMPLETE, AND  
5 CORRECT;

6 (III) UPDATE THE FACILITY'S INFORMATION ON THE FORM AS SOON  
7 AS PRACTICABLE AFTER A CHANGE TO THE INFORMATION OCCURS;

8 (IV) PUBLISH THE CURRENT VERSION OF THE COMPLETED FORM ON  
9 THE FACILITY'S PUBLIC-FACING WEBSITE; AND

10 (V) AT ALL TIMES, MAINTAIN ON THE FACILITY'S PREMISES AND  
11 HAVE AVAILABLE FOR INSPECTION A COPY OF THE FACILITY'S COMPLETED  
12 FORM WITH THE FACILITY'S MOST CURRENT INFORMATION AND PRODUCE  
13 THE FORM UPON REQUEST BY THE DEPARTMENT DURING A SURVEY OR  
14 INSPECTION OF THE FACILITY.

15 (4) **Regulatory oversight and enforcement.**

16 (a) THE DEPARTMENT SHALL REQUIRE A DEMENTIA CARE FACILITY  
17 TO MAINTAIN AND HAVE AVAILABLE FOR INSPECTION A COPY OF THE  
18 FACILITY'S CURRENT AND COMPLETED FORM DESCRIBED IN SUBSECTION  
19 (3)(b)(V) OF THIS SECTION.

20 (b) DURING EACH SURVEY OR INSPECTION OF A DEMENTIA CARE  
21 FACILITY, THE DEPARTMENT SHALL REQUIRE THE FACILITY TO PRODUCE  
22 FOR INSPECTION THE FACILITY'S CURRENT FORM, COMPLETED AND  
23 UPDATED IN ACCORDANCE WITH SUBSECTION (3)(b)(V) OF THIS SECTION.  
24 THE DEPARTMENT SHALL ENSURE A FACILITY'S COMPLIANCE WITH  
25 SUBSECTION (3)(b)(V) OF THIS SECTION AS A CONDITION OF LICENSURE  
26 AND AS A PART OF THE DEPARTMENT'S PROCEDURE IN AUTHORIZING THE  
27 CONTINUED OPERATION OF THE FACILITY PURSUANT TO SECTION

1 25-1.5-103.

2 (c) A DEMENTIA CARE FACILITY THAT VIOLATES SUBSECTION  
3 (3)(b)(V) OF THIS SECTION COMMITS A DECEPTIVE TRADE PRACTICE  
4 PURSUANT TO SECTION 6-1-105 (1)(qqqq). EACH DAY DURING WHICH A  
5 VIOLATION CONTINUES CONSTITUTES A SEPARATE VIOLATION.

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7 **SECTION 3. Act subject to petition - effective date.** This act  
8 takes effect at 12:01 a.m. on the day following the expiration of the  
9 ninety-day period after final adjournment of the general assembly (August  
10 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
11 referendum petition is filed pursuant to section 1 (3) of article V of the  
12 state constitution against this act or an item, section, or part of this act  
13 within such period, then the act, item, section, or part will not take effect  
14 unless approved by the people at the general election to be held in  
15 November 2026 and, in such case, will take effect on the date of the  
16 official declaration of the vote thereon by the governor.