

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**CORRECTED 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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1 *Be it enacted by the General Assembly of the State of Colorado:*

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

5 **25-1-124.3. Dementia care services - information disclosure**  
6 **form - requirements - gifts, grants, or donations - definitions.**

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

9 (a) "DEMENTIA CARE FACILITY" OR "FACILITY" MEANS A FACILITY  
10 THAT IS LICENSED BY THE DEPARTMENT PURSUANT TO SECTION 25-1.5-103  
11 AND THAT OFFERS ON-SITE AND RESIDENTIAL SERVICES FOR INDIVIDUALS  
12 WITH DEMENTIA DISEASES AND RELATED DISABILITIES.

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

15 (c) "FORM" MEANS THE DEMENTIA CARE SERVICES INFORMATION  
16 FORM CREATED BY THE DEPARTMENT PURSUANT TO SUBSECTION (2)(a) OF  
17 THIS SECTION.

18 (d) "STATE LONG-TERM CARE OMBUDSMAN" MEANS THE STATE  
19 LONG-TERM CARE OMBUDSMAN ESTABLISHED PURSUANT TO ARTICLE 11.5

1 OF TITLE 26 OR THE STATE LONG-TERM CARE OMBUDSMAN'S DESIGNEE.

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

3 (a) BY JULY 1, 2027, THE DEPARTMENT SHALL CREATE A  
4 DEMENTIA CARE SERVICES INFORMATION FORM FOR DEMENTIA CARE  
5 FACILITIES TO COMPLETE AND DISTRIBUTE IN ACCORDANCE WITH  
6 SUBSECTION (3) OF THIS SECTION. THE FORM MUST INCLUDE FIELDS FOR  
7 THE DISCLOSURE OF INFORMATION REGARDING THE DEMENTIA CARE  
8 FACILITY'S SERVICES. AT A MINIMUM, THE FORM MUST INCLUDE FIELDS  
9 FOR EACH OF THE FOLLOWING ELEMENTS:

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

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

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

19 (IV) THE CRITERIA AND PROCESSES THE FACILITY USES TO  
20 DETERMINE THE PLACEMENT, TRANSFER, OR DISCHARGE OF RESIDENTS  
21 LIVING WITH DEMENTIA;

22 (V) A DESCRIPTION OF HOW THE FACILITY INVOLVES FAMILY  
23 MEMBERS IN THE ACTIVITIES AND CARE OF RESIDENTS LIVING WITH  
24 DEMENTIA;

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

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

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

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

9 (B) THE HEALTH-CARE COVERAGE PAYER SOURCES THAT THE  
10 FACILITY ACCEPTS, INCLUDING WHETHER THE FACILITY ACCEPTS PAYMENT  
11 FROM PRIVATE INSURANCE PLANS, THROUGH MEDICAID, OR THROUGH THE  
12 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS; AND

13 (IX) AN EXPLANATION OF THE FACILITY'S FEE MODEL, [REDACTED] THE  
14 EXPLANATION MUST INCLUDE DETAILS ABOUT WHEN AND HOW A RESIDENT  
15 AND THE RESIDENT'S AUTHORIZED REPRESENTATIVE WILL BE NOTIFIED OF  
16 ANY CHANGE TO THE FEES.

17 [REDACTED]  
18 (b) THE DEPARTMENT SHALL CREATE THE FORM DESCRIBED IN  
19 SUBSECTION (2)(a) OF THIS SECTION IN CONSULTATION WITH THE STATE  
20 LONG-TERM CARE OMBUDSMAN. THE DEPARTMENT MAY CONSULT WITH  
21 ANY OTHER STATE DEPARTMENT OR ORGANIZATION AS THE DEPARTMENT  
22 DEEMS NECESSARY.

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

26 (d) AS SOON AS PRACTICABLE AFTER CREATING OR UPDATING THE  
27 FORM PURSUANT TO THIS SUBSECTION (2), THE DEPARTMENT SHALL

1 PROVIDE THE FORM OR THE MOST RECENTLY UPDATED VERSION OF THE  
2 FORM TO EVERY DEMENTIA CARE FACILITY.

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

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

8 (a) A DEMENTIA CARE FACILITY SHALL COMPLETE THE DEMENTIA  
9 CARE SERVICES INFORMATION FORM CREATED OR UPDATED BY THE  
10 DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION WITH  
11 RESPONSIVE, ACCURATE, AND COMPLETE INFORMATION REGARDING THE  
12 FACILITY'S DEMENTIA CARE SERVICES.

13 (b) BEGINNING OCTOBER 1, 2027, A DEMENTIA CARE FACILITY  
14 SHALL:

15 (I) PROVIDE THE FACILITY'S COMPLETED DEMENTIA CARE SERVICES  
16 INFORMATION FORM TO AN INDIVIDUAL WHO CONTACTS THE FACILITY  
17 SEEKING DEMENTIA CARE SERVICES, WHETHER THE INDIVIDUAL IS SEEKING  
18 DEMENTIA CARE SERVICES FOR THEMSELF, FOR A FAMILY MEMBER, OR FOR  
19 SOMEONE WHO IS NOT A FAMILY MEMBER;

20 (II) REVIEW THE FORM WHEN THE FACILITY'S INFORMATION  
21 CHANGES, AND NO LESS THAN ONCE EVERY FIVE YEARS, TO ENSURE THAT  
22 THE INFORMATION PROVIDED ON THE FORM IS CURRENT, COMPLETE, AND  
23 CORRECT;

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

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

1 (V) AT ALL TIMES, MAINTAIN ON THE FACILITY'S PREMISES AND  
2 HAVE AVAILABLE FOR INSPECTION A COPY OF THE FACILITY'S COMPLETED  
3 FORM WITH THE FACILITY'S MOST CURRENT INFORMATION AND PRODUCE  
4 THE FORM UPON REQUEST BY THE DEPARTMENT DURING A SURVEY OR  
5 INSPECTION OF THE FACILITY.

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

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

11 (b) DURING EACH SURVEY OR INSPECTION OF A DEMENTIA CARE  
12 FACILITY, THE DEPARTMENT SHALL REQUIRE THE FACILITY TO PRODUCE  
13 FOR INSPECTION THE FACILITY'S CURRENT FORM, COMPLETED AND  
14 UPDATED IN ACCORDANCE WITH SUBSECTION (3)(b)(V) OF THIS SECTION.

15 (c) IF A FACILITY VIOLATES SUBSECTION (3)(b)(V) OF THIS SECTION  
16 OR DOES NOT PRODUCE THE FACILITY'S CURRENT FORM UPON A REQUEST  
17 MADE BY THE DEPARTMENT PURSUANT TO SUBSECTION (4)(b) OF THIS  
18 SECTION, THE DEPARTMENT SHALL ISSUE A CITATION TO THE FACILITY.

19   
20 **SECTION 2. Act subject to petition - effective date.** This act  
21 takes effect at 12:01 a.m. on the day following the expiration of the  
22 ninety-day period after final adjournment of the general assembly (August  
23 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
24 referendum petition is filed pursuant to section 1 (3) of article V of the  
25 state constitution against this act or an item, section, or part of this act  
26 within such period, then the act, item, section, or part will not take effect  
27 unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.