

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 26-0237.01 Eden Rolland x2373

HOUSE BILL 26-1107

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A BILL FOR AN ACT

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

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.

HOUSE
3rd Reading Unamended
March 12, 2026

HOUSE
Amended 2nd Reading
March 11, 2026

(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.

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 - assisted living residence improvement cash**
7 **fund - rules - definitions.**

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

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

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

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

19 (d) "STATE LONG-TERM CARE OMBUDSMAN" MEANS THE STATE

1 LONG-TERM CARE OMBUDSMAN ESTABLISHED PURSUANT TO ARTICLE 11.5
2 OF TITLE 26 OR THE STATE LONG-TERM CARE OMBUDSMAN'S DESIGNEE.

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

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

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

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

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

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

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

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

1 MEDICAL CONCERNS, SAFETY CONCERNS, AND OTHER CONCERNS;

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

3 MEDICAL PROFESSIONALS;

4 (VIII) A STATEMENT IDENTIFYING SOURCES, INCLUDING A LINK TO

5 THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES' "CARE

6 COMPARE" WEBSITE, OR ANY SUCCESSOR WEBSITE, THAT AN INDIVIDUAL

7 MAY CONSULT TO FIND INFORMATION ABOUT:

8 (A) PAST ENFORCEMENT ACTIONS OR COMPLAINTS, IF ANY, THAT

9 RESULTED IN THE DEPARTMENT ISSUING WARNINGS OR FINES; AND

10 (B) THE HEALTH-CARE COVERAGE PAYER SOURCES THAT THE

11 FACILITY ACCEPTS, INCLUDING WHETHER THE FACILITY ACCEPTS PAYMENT

12 FROM PRIVATE INSURANCE PLANS, THROUGH MEDICAID, OR THROUGH THE

13 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS; AND

14 (IX) AN EXPLANATION OF THE FACILITY'S FEE MODEL. THE

15 EXPLANATION MUST INCLUDE DETAILS ABOUT WHEN AND HOW A RESIDENT

16 AND THE RESIDENT'S AUTHORIZED REPRESENTATIVE WILL BE NOTIFIED OF

17 ANY CHANGE TO THE FEES.

18

19 (b) THE DEPARTMENT SHALL CREATE THE FORM DESCRIBED IN

20 SUBSECTION (2)(a) OF THIS SECTION IN CONSULTATION WITH THE STATE

21 LONG-TERM CARE OMBUDSMAN. THE DEPARTMENT MAY CONSULT WITH

22 ANY OTHER STATE DEPARTMENT OR ORGANIZATION AS THE DEPARTMENT

23 DEEMS NECESSARY.

24 (c) THE DEPARTMENT MAY REVIEW AND UPDATE THE FORM TO

25 ENSURE THAT THE FORM FACILITATES THE DISCLOSURE OF THE

26 INFORMATION SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION.

27 (d) AS SOON AS PRACTICABLE AFTER CREATING OR UPDATING THE

1 FORM PURSUANT TO THIS SUBSECTION (2), THE DEPARTMENT SHALL
2 PROVIDE THE FORM OR THE MOST RECENTLY UPDATED VERSION OF THE
3 FORM TO EVERY DEMENTIA CARE FACILITY.

4 (e) THE DEPARTMENT MAY ADOPT RULES AS NECESSARY TO
5 IMPLEMENT THIS SECTION.

6 (f) THE DEPARTMENT MAY USE MONEY FROM THE ASSISTED LIVING
7 RESIDENCE IMPROVEMENT CASH FUND, CREATED IN SECTION 25-27-106
8 (2)(b)(IV), FOR THE PURPOSES OF CREATING THE FORM IN ACCORDANCE
9 WITH THIS SUBSECTION (2) AND ADOPTING RULES RELATED TO THE FORM.

10 (2.5) THE RULES ADOPTED BY THE DEPARTMENT IN ACCORDANCE
11 WITH THIS SECTION SHALL NOT EXCEED APPLICABLE NATIONAL
12 STANDARDS.

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

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

19 (b) BEGINNING OCTOBER 1, 2027, A DEMENTIA CARE FACILITY
20 SHALL:

21 (I) PROVIDE THE FACILITY'S COMPLETED DEMENTIA CARE SERVICES
22 INFORMATION FORM TO AN INDIVIDUAL WHO CONTACTS THE FACILITY
23 SEEKING DEMENTIA CARE SERVICES, WHETHER THE INDIVIDUAL IS SEEKING
24 DEMENTIA CARE SERVICES FOR THEMSELF, FOR A FAMILY MEMBER, OR FOR
25 SOMEONE WHO IS NOT A FAMILY MEMBER;

26 (II) REVIEW THE FORM WHEN THE FACILITY'S INFORMATION
27 CHANGES, AND NO LESS THAN ONCE EVERY FIVE YEARS, TO ENSURE THAT

1 THE INFORMATION PROVIDED ON THE FORM IS CURRENT, COMPLETE, AND
2 CORRECT;

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

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

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

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

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

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

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

25

26 **SECTION 2.** In Colorado Revised Statutes, 25-27-106, **amend**
27 (2)(b)(V) introductory portion, (2)(b)(V)(G), and (2)(b)(V)(H); and **add**

1 (2)(b)(V)(I) as follows:

2 **25-27-106. License denial, suspension, or revocation.**

3 (2) (b) (V) Civil fines collected pursuant to this ~~paragraph (b)~~

4 SUBSECTION (2)(b) shall be used for expenses related to:

5 (G) Closing a residence; ~~or~~

6 (H) Reimbursing residents for personal funds lost, as determined
7 necessary by the department; OR

8 (I) CREATING A DEMENTIA CARE SERVICES INFORMATION FORM
9 AND ADOPTING RULES RELATED TO THE FORM, PURSUANT TO SECTION
10 25-1-124.3 (2).

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