

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 26, 2022

Committee on Public & Behavioral Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB22-1271 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, strike everything below the enacting clause and
2 substitute:
- 3 "SECTION 1. In Colorado Revised Statutes, 13-94-104, **add** (5)
4 as follows:
- 5 **13-94-104. Public guardianship commission created - office of**
6 **public guardianship created - appointment of director -**
7 **memorandum of understanding.** (5) (a) THE COMMISSION SHALL
8 CREATE A WORKING GROUP TO STUDY ISSUES RELATED TO PROTECTED
9 PERSONS. THE WORKING GROUP SHALL STUDY AND MAKE
10 RECOMMENDATIONS RELATED TO:
- 11 (I) PROVIDING NOTIFICATION TO A PROTECTED PERSON'S CLOSE
12 FAMILY OR A PERSON DESIGNATED BY THE PROTECTED PERSON WHEN THE
13 PROTECTED PERSON:
- 14 (A) CHANGES PLACE OF RESIDENCE;
15 (B) RESIDES AT A LOCATION OTHER THAN THE PROTECTED
16 PERSON'S RESIDENCE FOR MORE THAN FORTY-EIGHT HOURS;
17 (C) IS ADMITTED TO A MEDICAL FACILITY FOR ACUTE OR
18 EMERGENCY CARE;
19 (D) DIES; AND
20 (E) OTHER CIRCUMSTANCES WHEN NOTIFICATION MAY BE
21 APPROPRIATE;
- 22 (II) APPROPRIATE PARAMETERS FOR VISITATION OF THE
23 PROTECTED PERSON; AND
24 (III) DEVELOPMENT OF A CARE PLAN FOR THE PROTECTED PERSON
25 THAT INCLUDES WHY THE GUARDIANSHIP IS NECESSARY, ANY NECESSARY
26 RESTRICTIONS PLACED ON VISITATION OR ACCESS TO REPORTING, HOW THE
27 PROTECTED PERSON'S OR WARD'S FINANCES ARE TO BE HANDLED, AND HOW
28 THE PROTECTED PERSON OR WARD AND CLOSE FAMILY MEMBERS CAN

1 OBTAIN ANSWERS IF QUESTIONS ARISE.

2 (b) THE WORKING GROUP SHALL REPORT ITS FINDINGS AND
3 RECOMMENDATIONS TO THE HOUSE OF REPRESENTATIVES PUBLIC AND
4 BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE AND THE SENATE
5 HEALTH AND HUMAN SERVICES COMMITTEE, OR THEIR SUCCESSOR
6 COMMITTEES, BY DECEMBER 1, 2022.

7 **SECTION 2. 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; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2022 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor."

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