



**Colorado  
Legislative  
Council  
Staff**

**HB16-1374**

**FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 16-0824  
**Prime Sponsor(s):** Rep. McCann  
Sen. Kefalas

**Date:** April 12, 2016  
**Bill Status:** House Health, Insurance, & Environment  
**Fiscal Analyst:** Bill Zepernick (303-866-4777)

**BILL TOPIC:** REQUIRED NOTICE & DISCLOSURE FREESTANDING EMERGENCY ROOMS

Fiscal Impact Summary	FY 2015-16 <i>(Current year)</i>	FY 2016-2017	FY 2017-2018
State Revenue			
State Expenditures	Minimal workload increase.		
<b>Appropriation Required:</b> None.			
<b>Future Year Impacts:</b> Ongoing minimal workload increase.			

**Summary of Legislation**

This bill requires freestanding emergency rooms to post notices throughout the facility indicating that the facility is a freestanding emergency room that provides emergency services to treat emergency medical conditions and that it is not an urgent care center or primary care provider. In addition, the bill requires freestanding emergency rooms to provide a written disclosure and explain its contents to patients following an initial examination that determines that the patient does not have an emergency medical condition.

This disclosure must include information about rates and fees, insurance network participation, billing by attending physicians and the facility, and the patient's ability to confer with his or her primary care physician or other primary care provider. The freestanding emergency room must obtain the patient's signature on the disclosure, provide the patient a copy, and maintain the disclosure in the patient's medical record. For the purposes of this bill, "freestanding emergency room" is defined as a licensed facility that provides emergency services in a facility, charges a facility fee, and is not attached to a hospital.

**State Expenditures**

The bill increases workload in the Department of Public Health and Environment (CDPHE) and the Department of Regulatory Agencies (DORA) by a minimal amount. In the CDPHE, additional staff time will be required to check that notices are posted and that disclosures are provided to patients during facility inspections. Workload will also increase to promulgate rules and perform outreach to affected facilities. For DORA, additional outreach to physicians concerning

the requirements of the bill may be required. Both the CDPHE and DORA may receive, and be required to investigate, additional complaints from the public concerning facilities and providers that do not follow the requirements of the bill. Both departments can accomplish this work within existing appropriations.

## **Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## **State and Local Government Contacts**

Counties  
Public Health and Environment

Information Technology  
Regulatory Agencies

Law