



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**HB 19-1044**

**FISCAL NOTE**

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<b>Drafting Number:</b>	LLS 19-0284	<b>Date:</b>	January 11, 2019
<b>Prime Sponsors:</b>	Rep. Kraft-Tharp; Landgraf Sen. Todd; Coram	<b>Bill Status:</b>	House Public Health
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**Bill Topic:** ADVANCE BEHAVIORAL HEALTH ORDERS TREATMENT

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**Summary of Fiscal Impact:** **No fiscal impact.** This bill allows adults to establish an advance directive for behavioral health-related treatment. It will not impact the state revenue or expenditures of any state or local agency.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** The fiscal note reflects the introduced bill.

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### Summary of Legislation

This bill allows an adult, 18 years of age or older, to establish a behavioral health order for scope of treatment (behavioral health orders) that communicates his or her behavioral health history, decisions, and preferences in the event that he or she later lacks decisional capacity to provide informed consent to, withdrawal from, or refuse behavioral health treatment. The bill aligns the new process for behavioral health orders with current advance medical orders for scope of treatment.

The bill lists the requirements for behavioral health orders; details the duties and immunities for medical personnel treating an adult with a behavioral health order; details how a behavioral health order form may be executed, amended, or revoked; and specifies that executing or failing to execute a behavioral health order does not effect any health insurance contract, life insurance contract, or annuity.

### Assessment of No Fiscal Impact

All state and local agencies that coordinate behavioral health care are already in the practice of collecting information regarding an individual's advance directives; therefore, the bill is assessed as having no fiscal impact. In addition, the bill is not expected to change the overall amount of behavioral health services provided under any state program such as Medicaid or by the Office of Behavioral Health.

### Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

**State and Local Government Contacts**

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