



Legislative
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HB 20-1101

**REVISED
FISCAL NOTE**

(replaces fiscal note dated January 27, 2020)

Drafting Number: LLS 20-0791
Prime Sponsors: Rep. Wilson
Sen. Hisey; Todd

Date: February 26, 2020
Bill Status: Senate HHS
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Bill Topic: **ASSISTED LIVING RESIDENCE REFERRALS**

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill makes modifications to the required agreement between an assisted living residence referral agency and a prospective resident, and expands the definition of an assisted living residence. The bill will increase state workload beginning in FY 2020-21.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The revised fiscal note reflects the reengrossed bill.

Summary of Legislation

The bill requires an agreement between an assisted living residence referral agency and a prospective resident to be in writing and include:

- the right of the prospective resident or their representative to terminate the referral agency's services for any reason and at any time; and
- a requirement that, if the prospective resident terminates the services of the referral agency, that the referral agency must communicate this termination to any assisted living residences to which the prospective resident was referred.

The bill prohibits an assisted living residence from paying a fee to a referral agency if the agreement between the referral agency and prospective resident or their representative was terminated. Additionally, assisted living residences may not sell a prospective resident's contact information without written consent.

This bill also expands the definition of assisted living residence to include facilities for individuals with intellectual and developmental disabilities, long-term care facilities, and any other similar facility.

Background

Assisted living residences are facilities that make room and board available to at least three adults who are unrelated to the owner and provide personal services, protective oversight, social care, and available 24-hour supervision.

State Expenditures

Beginning in FY 2020-21, the bill will increase workload for trial courts in the Judicial Department. The bill creates additional reasons for which a district attorney could bring civil actions, which may result in increased caseloads for trial judges. This fiscal note assumes that any increase in caseload will be minimal and can be accomplished within existing appropriations.

Local Government

To the extent that district attorneys enforce these new requirements, workload will increase to conduct the civil process.

Effective Date

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Counties	District Attorneys	Information Technology
Judicial	Law	Public Health and Environment