



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 21-0986	Date:	May 6, 2021
Prime Sponsors:	Rep. Michaelson Jenet; Pelton Sen. Winter	Bill Status:	House HHS
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Bill Topic: MENTAL HEALTH PRACTICE ACT

Summary of Fiscal Impact:

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

The bill makes some records relating to mental health professionals confidential and requires education requirements for certain practitioners to be established by rule. It increases state workload in FY 2021-22.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill exempts certain conviction records in the custody of a board which regulates mental health professions in the Department of Regulatory Agencies from the Colorado Open Records Act. It also permits a licensee, registrant, or certificate holder who was issued a letter of admonition by a board to petition the board to seal the letter, and specifies the conditions under which a letter may be sealed. An applicant for a new credential, a renewal, or a reinstatement is not required to provide information concerning a letter sealed in this way in their application.

The bill directs the State Board of Human Services in the Department of Human Services to promulgate rules specifying education requirements for licensed addiction counselors in lieu of the existing statutory requirements, and adjusts the experience requirements for licensure. It also clarifies the circumstances under which an addiction practitioner may provide clinical supervision for a person working toward a professional credential.

Background

Mental health professionals, including psychologists, social workers, professional counselors, marriage and family therapists, registered psychotherapists, and addiction counselors are regulated by the corresponding professional board in the Department of Regulatory Agencies, and must be registered, certified, or licensed to practice. There are typically between 25,000 and 29,000 active registrations, certifications, and licenses in a given year.

State Expenditures

For FY 2021-22, workload will increase in the Department of Human Services to conduct rulemaking as required by the bill and the Department of Regulatory Agencies to conduct outreach to mental health professionals and to train regulatory boards on the new requirements. This workload increase can be accomplished within existing appropriations.

Effective Date

The bill takes effect July 1, 2021.

State and Local Government Contacts

Human Services

Law

Regulatory Agencies