



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 22-0884	Date:	August 2, 2022
Prime Sponsors:	Rep. Lindsay; Michaelson Jenet Sen. Winter	Bill Status:	Signed into Law
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Bill Topic: PROTECTING INJURED WORKERS' MENTAL HEALTH RECORDS

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 amends the Workers' Compensation Act of Colorado to limit the disclosure of records related to a claimant's mental health. The bill also requires a person providing mental health services to a Workers' Compensation claimant to be a licensed mental health provider. The bill increases state workload and may increase state expenditures beginning in FY 2022-23.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill amends the Workers' Compensation Act of Colorado to limit the disclosure of records related to a claimant's mental health. The director of the Division of Workers' Compensation in the Department of Labor and Employment may promulgate rules to implement the bill. The bill also requires a person providing mental health services to a Workers' Compensation claimant to be a licensed mental health provider.

State Expenditures

This bill will increase workload in the Department of Labor and Employment and may increase expenditures beginning in FY 2022-23 in the Department of Personnel and Administration as described below.

Division of Workers' Compensation. The division will have an increase in workload to promulgate rules and update claims handling processes. This increase can be addressed within existing appropriations.

Department of Personnel and Administration. The bill may increase the cost of treatment for state employees that are Workers' Compensation claimants to see a licensed mental health provider for treatment rather than the authorized treating physician. Any increase will be incorporated into the annual actuarial process for assessing costs to agencies. The State Office of Risk Management may be required to change its records handling process as relates to mental health treatment; however, this workload can be addressed within existing appropriations.

Local Government

Like the state government, the bill may increase the cost of treatment for local government employees that are Workers' Compensation claimants to see a licensed mental health provider for treatment rather than the authorized treating physician.

Effective Date

The bill was signed into law by the Governor and took effect on June 8, 2022, and applies to claims filed on or after that date.

State and Local Government Contacts

Information Technology

Labor

Personnel