

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 23-0504.01 Christy Chase x2008

**HOUSE BILL 23-1031**

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**HOUSE SPONSORSHIP**

**Story and Willford,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Public & Behavioral Health & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING AN EXEMPTION FOR MENTAL HEALTH PROFESSIONALS**  
102           **FROM REQUIREMENTS TO REPORT INFORMATION ABOUT**  
103           **INDIVIDUALS WITH A SEXUALLY TRANSMITTED INFECTION TO**  
104           **PUBLIC HEALTH ENTITIES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Under current law, every health-care provider is required to report specified information about an individual known to the provider to have a diagnosis of or a positive test for a sexually transmitted infection to the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

department of public health and environment or a local public health agency. The bill exempts mental health professionals from this reporting requirement.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-4-402, **add** (7.5)  
3 as follows:

4 **25-4-402. Definitions.** As used in this part 4:

5 (7.5) "MENTAL HEALTH PROFESSIONAL" MEANS A PSYCHOLOGIST,  
6 A SOCIAL WORKER, A MARRIAGE AND FAMILY THERAPIST, A LICENSED  
7 PROFESSIONAL COUNSELOR, AN UNLICENSED PSYCHOTHERAPIST, OR AN  
8 ADDICTION COUNSELOR LICENSED, REGISTERED, CERTIFIED, OR OTHERWISE  
9 REGULATED PURSUANT TO ARTICLE 245 OF TITLE 12.

10 **SECTION 2.** In Colorado Revised Statutes, 25-4-405, **amend** (1)  
11 as follows:

12 **25-4-405. Reporting requirements - immunity.** (1) (a) In  
13 accordance with ~~the provisions of~~ sections 12-240-139, 25-1-122,  
14 25-4-404, and 25-4-406, AND EXCEPT AS PROVIDED IN SUBSECTION (1)(b)  
15 OF THIS SECTION, for every individual known to the person or entity to  
16 have a diagnosis of a sexually transmitted infection or TO have a positive  
17 test for a sexually transmitted infection, the following persons and entities  
18 shall report any information required by rule of the state board to the state  
19 department or local public health agency, in a form and within a time  
20 period designated by rule of the state board:

21 (a) (I) Every health-care provider in the state;

22 (b) (II) Persons who test, diagnose, or treat sexually transmitted  
23 infections in a hospital, clinic, correctional institution, community-based  
24 organization, nonclinical setting, or other private or public institution; or

1           (e) (III) A laboratory or a person performing a test for a case of a  
2 sexually transmitted infection.

3           (b) THE REPORTING REQUIREMENT SPECIFIED IN SUBSECTION (1)(a)  
4 OF THIS SECTION DOES NOT APPLY TO A MENTAL HEALTH PROFESSIONAL.

5           **SECTION 3. Act subject to petition - effective date.** This act  
6 takes effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly; except  
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
9 of the state constitution against this act or an item, section, or part of this  
10 act within such period, then the act, item, section, or part will not take  
11 effect unless approved by the people at the general election to be held in  
12 November 2024 and, in such case, will take effect on the date of the  
13 official declaration of the vote thereon by the governor.