



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 23-0314 Date: August 31, 2023
Prime Sponsors: Sen. Zenzinger Bill Status: Signed into Law
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Bill Topic: SUNSET CONTINUE NURSING HOME ADMINISTRATORS

- Summary of Fiscal Impact:
[X] State Revenue [] TABOR Refund
[X] State Expenditure [] Local Government
[] State Transfer [] Statutory Public Entity

Sunset Bill. This bill continues the regulation of nursing home administrators in the Department of Regulatory Agencies, which is scheduled to repeal on September 1, 2023. State fiscal impacts under the bill include the continuation of the program's current revenue and expenditures, and new expenditure impacts beginning in FY 2023-24. The program is continued through September 1, 2028.

Appropriation Summary: No appropriation is required.

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

Table 1
State Fiscal Impacts Under SB 23-155^1

Table with 3 columns: Category, Budget Year FY 2023-24, Out Year FY 2024-25. Rows include New Impacts for Revenue, Expenditures, and Other Budget Impacts.

Table with 3 columns: Category, Description, Budget Year FY 2023-24, Out Year FY 2024-25. Rows include Continuing Impacts for Revenue and Expenditures, and Other Budget Impacts for TABOR Refund.

^1 Table 1 shows the new impacts resulting from changes to the program under the bill, and the continuing impacts from extending the program beyond its current repeal date. The continuing program impacts will end if the bill is not passed and the program is allowed to repeal.

Summary of Legislation

The bill continues the regulation of nursing home administrators by the State Board of Examiners of Nursing Home Administrators in the Department of Regulatory Agencies until September 1, 2028. In addition, the bill implements the recommendations in the 2022 Sunset Report, including authorizing the board to discipline a licensee for failing to respond to a complaint and removing the requirement that letters of admonition be sent through certified mail. The bill also requires nursing home administrators to undergo Colorado Adult Protective Services data system (CAPS) checks.

Continuing Program Impacts

Based on the department's current revenue and expenditures, the Department of Regulatory Agencies (DORA) is expected to have revenue of \$121,493 and expenditures of \$98,945 to administer the regulation of nursing home administrators. If this bill is enacted, current revenue and expenditures will continue for the program starting in FY 2024-25. This continuing revenue is subject to the state TABOR limit. If this bill is not enacted, the program will end on September 1, 2023, followed by a wind-down period, and state revenue and expenditures will decrease starting in FY 2024-25 by the amounts shown in Table 1, above. The changes to the program that drive additional costs are discussed in the State Expenditure section below.

State Expenditures

The bill increases state workload for the departments of Regulatory Agencies and Human Services in FY 2023-24.

Department of Regulatory Agencies. Beginning in FY 2023-24, workload will increase for DORA to update program rules, conduct outreach, and handle any additional disciplinary cases. This work will be minimal and can be accomplished within existing appropriations.

Department of Human Services. In FY 2023-24 only, workload will increase for the CAPS Check Unit to perform CAPS checks for nursing home administrators; however, as many nursing home administrators already undergo CAPS checks, this workload will be minimal and can be accomplished within existing appropriations.

Effective Date

This bill was signed into law by the Governor and took effect on June 2, 2023.

State and Local Government Contacts

Human Services

Public Health and Environment

Information Technology

Regulatory Agencies

Law