



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 24-0671 Date: July 17, 2024
Prime Sponsors: Rep. Hamrick; Garcia Bill Status: Deemed Lost
Sen. Michaelson Jenet; Gonzales Fiscal Analyst: Shukria Maktabi | 303-866-4720
shukria.maktabi@coleg.gov

Bill Topic: PREVENT WORKPLACE VIOLENCE IN HEALTH-CARE SETTINGS

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

The bill would have required certain health facilities to establish workplace violence prevention committees and prevention plans for their employees. It would have increased state expenditures beginning in FY 2024-25.

Appropriation Summary: For FY 2024-25, the bill would have required an appropriation of \$103,618 to the Colorado Department of Public Health and Environment. The Department of Human Services also required an appropriation of \$670,005, which may have been provided in this bill.

Fiscal Note Status: The final fiscal note reflects the introduced bill, as amended by the House Health & Human Services. The bill was deemed lost in the House Appropriations Committee on May 9, 2024; therefore, the impacts identified in this analysis do not take effect.

Table 1
State Fiscal Impacts Under HB 24-1066

Table with 4 columns: Category, Budget Year FY 2024-25, and Out Year FY 2025-26. Rows include Revenue, Expenditures (General Fund, Centrally Appropriated, Total Expenditures, Total FTE), Transfers, and Other Budget Impacts (General Fund Reserve).

Summary of Legislation

The bill enacts the “Violence Prevention in Health-care Settings Act” and the “Violence Prevention in Behavioral Health Settings Act.” These acts protect health care staff in hospitals, emergency departments, nursing care facilities, assisted living residences, federally qualified health centers (FQHCs), and comprehensive community behavioral health centers.

Each facility must establish a workplace violence prevention program that documents and reviews violent incidents, develops and implements prevention policies for their employees, offers post-incident supports, and submits annual incident reports to the Department of Public Health and Environment (CDPHE) or the Behavioral Health Administration (BHA). These departments must annually publish a comprehensive report on incidences of workplace violence.

The bill specifies the required components of facility workplace violence prevention programs and policies, prohibits facilities from discouraging staff reporting incidents to law enforcement, and protects persons who choose to either report a workplace violence incident, advise a staff member of the right to report, or choose not to report an incident.

State Expenditures

The bill increases state General Fund expenditures in the CDPHE and the Department of Human Services (CDHS) by \$940,000 in FY 2024-25 and by \$1.1 million in FY 2025-26 and ongoing. The bill also increases workload for the BHA and the Department of Corrections (DOC), and may increase costs in the Department of Health Care Policy and Financing (HCPF). The Department of Personnel and Administration (DPA) may also be impacted. Expenditures are shown in Table 2 and detailed below.

Table 2
Expenditures Under HB 24-1066

	FY 2024-25	FY 2025-26
Department of Public Health and Environment		
Personal Services	\$88,742	\$126,826
Operating Expenses	\$1,536	\$2,560
Capital Outlay Costs	\$13,340	-
Centrally Appropriated Costs ¹	\$22,156	\$34,951
FTE – Personal Services	1.2 FTE	2.0 FTE
CDPHE Subtotal	\$125,774	\$164,337

**Table 2
Expenditures Under HB 24-1066 (Cont.)**

	FY 2024-25	FY 2025-26
Department of Human Services		
Personal Services	\$552,161	\$654,163
Operating Expenses	\$10,240	\$12,160
Capital Outlay Costs	\$66,700	-
Trainer Certifications	\$40,905	\$20,453
Centrally Appropriated Costs ¹	\$142,256	\$168,786
FTE – Personal Services	8.0 FTE	9.5 FTE
CDHS Subtotal	\$812,262	\$855,562
Total Costs	\$938,035	\$1,019,899
Total FTE	9.2 FTE	11.5 FTE

¹ Centrally appropriated costs are not included in the bill's appropriation.

Department of Public Health and Environment. The CDPHE requires staff to establish processes and manage incident data provided by facilities.

- **Staff.** CDPHE requires 2.0 FTE of administrative assistant staff to receive, review, and analyze data from reports provided by approximately 980 facilities annually. Administrative costs are prorated for a March 2025 start date to allow time for onboarding, training and process development. Additionally, in the first year, CDPHE requires 0.1 FTE to establish workplace violence reporting requirements and processes, including holding four stakeholder meetings, at an average of 50 hours per meeting. Standard operating and capital outlay costs are included.

Department of Human Services. The CDHS requires staff and certification costs to implement the workplace violence prevention measures at two state-run hospitals. But, because accredited hospitals have been required to comply with [violence prevention standards established by the Joint Commission](#) since 2022, this bill can be seen as codifying existing requirements for these state-run hospitals. However, no resources have been requested by, or provided to, the CDHS for this purpose through the annual budget process. Given this, the fiscal note estimates the costs of complying with the requirements, and the General Assembly may use this bill as a vehicle to provide funding to the CDHS for this work. If funding is not provided in this bill, the CDHS will be required to shift resources from other functions or request funding through the budget process in the future. Costs in the CDHS are outlined below.

- **Staff.** The Colorado Mental Health Hospital in Fort Logan and the Colorado Mental Health Hospital in Pueblo require 9.5 FTE between the two hospitals. This includes 5.0 FTE training staff who will train approximately 1,900 employees on the new policies; 3.0 FTE program assistant staff to assist in handling reporting of incidents and associated data entry; and 1.5 FTE to manage the staff and administer the prevention committee and associated plan. Staff costs are prorated for a September 1, 2024, start date and include standard operating and capital outlay costs.
- **Certification of trainers.** The two facilities will have initial costs of \$40,905, and ongoing costs of \$20,453 for the five trainers to receive training certification.

Behavioral Health Administration. The BHA will have increased workload to receive reports from behavioral health facilities, and publish the de-identified data. As the BHA already receives a high-level of reporting from behavioral health facilities, this workload is expected to be minimal and can be accomplished within existing appropriations.

Department of Corrections. The department will have increased workload to implement the workplace violence prevention measures. This workload is expected to be minimal for the department and can be accomplished within existing appropriations.

Department of Health Care Policy and Financing. Assuming administrative costs increase for providers at FQHCs and Community Mental Health Centers, the department may be required to pay increased facility rates. These costs are indeterminate and will be addressed through the annual budget process.

Department of Personnel and Administration. This analysis assumes the bill's increased transparency of and training on workplace violation incidents will decrease the state's overall liability in these cases. Because the bill does not specify what post-incident services are required to be provided to state employees, the fiscal note also assumes that the Colorado State Employees Assistance Program will not be required to provide these services. No change in appropriations is required.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State Appropriations

For FY 2024-25, the bill requires a General Fund appropriation \$103,618 to the Colorado Department of Public Health and Environment, and 1.2 FTE.

In addition, to provide funding to the Department of Human Services for its compliance with existing violence prevention standards for accredited hospitals (which align with the requirements in this bill), the General Assembly may appropriate \$670,005 General Fund and 8.0 FTE to the Department of Human Services for FY 2024-25.

Departmental Differences

Department of Personnel and Administration. The DPA estimates that it will have \$2.5 million in additional costs per year for employee support services and increased liability. Specifically, the DPA estimates that it requires about \$200,000 and 2.0 FTE to provide mental health services through the Colorado State Employee Assistance Program (CSEAP). The fiscal note does not include this staffing because CSEAP services are already available to state employees who request them and the bill does not specifically list the program as a required source of post-incident services.

The DPA estimates increased risk management costs of \$2.3 million, based on the assumption that by mandating policies and standards for preventing workplace violence, state hospitals would create a standard of care against which claimants could claim negligence, and that, further, publicized safety plans and reports will highlight state hospitals' safety incidents and potentially invite civil claims. The DPA requests \$270,000 General Fund to cover liability claims and \$2.1 million to cover workers' compensation claims in FY 2024-25. In future fiscal years, these costs would be addressed through the Risk Management Division's actuarial analysis that informs the annual budget process, and borne by affected state agencies. The fiscal note does not include these DPA estimates because, as stated above, it assumes that increased prevention strategies and supports for employees will lower overall liability risk for the state associated with violence in state-run health facilities. Also, the bill does not directly change any relevant cause of action or standards associated with negligence or workers' compensation claims.

State and Local Government Contacts

Counties	Early Childhood	Higher Education
Human Services	Labor	Personnel
Public Health and Environment	Regulatory Agencies	

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).