

CHAPTER 211

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**LABOR AND INDUSTRY**

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**SENATE BILL 97-207**

BY SENATOR Blickensderfer;  
also REPRESENTATIVES Schauer, Piffner, and Schwarz.

**AN ACT**

CONCERNING A RESTRICTION ON ACCESS OF GOVERNMENTAL ENTITIES TO WORKERS' COMPENSATION CLAIM FILES TO THOSE ENTITIES WITH DUTIES RELATING SPECIFICALLY TO THE ENFORCEMENT OF THE "WORKERS' COMPENSATION ACT OF COLORADO".

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

**SECTION 1.** 8-47-203 (1) (c), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

**8-47-203. Access to files, records, and orders.** (1) Notwithstanding the provisions of section 8-47-202, the filing of a claim for compensation is deemed to be a limited waiver of the doctor-patient privilege to persons who are necessary to resolve the claim. Access to claim files maintained by the division will be permitted only as follows:

(c) (I) The director may permit access to other governmental entities ONLY as required for the performance of their official duties AND ONLY IF THOSE OFFICIAL DUTIES RELATE TO ENFORCEMENT OF PROVISIONS OF ARTICLES 40 TO 47 OF THIS TITLE. AS USED IN THIS SUBPARAGRAPH (I), "ENFORCEMENT" INCLUDES DUTIES OF GOVERNMENTAL ENTITIES INVOLVED IN THE ADMINISTRATION OF THE PROVISIONS OF ARTICLES 40 TO 47 OF THIS TITLE OR IF SUCH DUTIES RELATE TO THE ENFORCEMENT OF CHILD SUPPORT UNDER SECTION 26-13-122, C.R.S. THIS PROVISION IS NOT INTENDED TO RESTRICT THE RIGHTS OF PERSONS OTHERWISE PROVIDED FOR IN ARTICLES 40 TO 47 OF THIS TITLE TO INSPECT AND COPY FILES.

(II) THE GENERAL ASSEMBLY INTENDS THAT ANY CONTRACT, AGREEMENT, OR ANY OTHER MEANS TO TRANSFER INFORMATION BETWEEN THE DEPARTMENT OF LABOR AND EMPLOYMENT AND ANY OTHER GOVERNMENTAL ENTITY RELATED TO ACCESS TO CLAIM FILES IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH (c), AS

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

AMENDED, SHALL BE CONFORMED TO THE PROVISIONS OF THIS PARAGRAPH (c), AS AMENDED, OR TERMINATED AS AUTHORIZED BY LAW.

**SECTION 2. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 27, 1997