

CHAPTER 48

GOVERNMENT - COUNTY

HOUSE BILL 00-1036

BY REPRESENTATIVES Witwer, Alexander, Dean, Larson, Mace, Plant, Ragsdale, and Windels;
also SENATORS Blickensderfer and Anderson.

AN ACT

CONCERNING ACCESS BY CORONERS TO PRIVILEGED INFORMATION MAINTAINED BY ANY PERSON WHO PROVIDED TREATMENT, CONSULTATION, COUNSELING, OR THERAPY SERVICES TO A DECEASED PERSON.

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

SECTION 1. 30-10-606 (6), Colorado Revised Statutes, is amended to read:

30-10-606. Coroner - inquiry, grounds - postmortem - jury - certificate of death. (6) Notwithstanding the provisions of ~~section 13-90-107 (1) (d)~~ SECTIONS 12-43-218 AND 13-90-107 (1) (d) OR (1) (g), C.R.S., the coroner holding an inquest or investigation pursuant to this section has the authority to request and receive a copy of any autopsy report or medical information from any pathologist, physician, dentist, hospital, or health care provider or institution OR ANY INFORMATION, RECORD, OR REPORT RELATED TO TREATMENT, CONSULTATION, COUNSELING, OR THERAPY SERVICES FROM ANY LICENSED PSYCHOLOGIST, PROFESSIONAL COUNSELOR, MARRIAGE AND FAMILY THERAPIST, SOCIAL WORKER, ALCOHOL AND DRUG ABUSE COUNSELOR, OR UNLICENSED PSYCHOTHERAPIST if such report, RECORD, or information is relevant to the inquest or investigation. THE CORONER SHALL NOT RELEASE ANY RECORD OR REPORT OBTAINED PURSUANT TO THIS SUBSECTION (6) TO ANY THIRD PARTY. ANY PERSON WHO COMPLIES WITH A REQUEST FROM A CORONER PURSUANT TO THIS SUBSECTION (6) SHALL BE IMMUNE FROM ANY CIVIL OR CRIMINAL LIABILITY THAT MIGHT OTHERWISE BE INCURRED OR IMPOSED WITH RESPECT TO THE DISCLOSURE OF CONFIDENTIAL PATIENT OR CLIENT INFORMATION.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition

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

is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 17, 2000