



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Summary

Date: March 27, 2024 **Fiscal Analyst:** Kristine McLaughlin (303-866-4776)

LCS TITLE: PATIENT ACCESS TO INFORMATION RELATED TO ADVERSE MEDICAL INCIDENTS

Fiscal Summary of Initiative 228

This fiscal summary, prepared by the nonpartisan Director of Research of the Legislative Council, contains a preliminary assessment of the measure's fiscal impact. A full fiscal impact statement for this initiative is or will be available at leg.colorado.gov/bluebook. This fiscal summary identifies the following impact.

State revenue. To the extent that there are more civil filings with the trial courts related to the documents disclosed under the measure, fee revenue to the Judicial Department may increase.

State expenditures. By placing additional disclosure requirements on health care facilities, the measure may require additional enforcement activity by the Department of Public Health and Environment, which regulates health care facilities, as well as increase costs for state agencies that operate health care facilities, including the Department of Human Services, the Department of Corrections, and public institutions of higher education. These agencies may require additional staff and legal services, provided by the Department of Law, to comply with the measure and respond to any resulting complaints. Additionally, if the measure drives an increase in costs to non-state facilities, state departments that make payments to these facilities, like the Department of Health Care Policy and Financing, may have increased services costs. Finally, if the measure results in increased litigation either as a result of non-compliance with the measure or as a result of the disclosed documents, workload may increase in the Judicial Department.

Local government impact. Similar to the state impacts above, the measure may increase workload and costs for local government agencies that operate or make payments to health care facilities and for any district attorneys involved in resulting court cases.

Economic impacts. The economic impacts of the measure are unknown, as they depend on future actions and decision-making, primarily by patients. If the measure's disclosure requirements impact the delivery of health care services, health and future economic outcomes for patients may change.