



Colorado *Legislative Council Staff Fiscal Note*

NO FISCAL IMPACT

Drafting Number: LS 08-0834	Date: February 6, 2008
Prime Sponsor(s): Sen. Johnson Rep. McGihon	Bill Status: Senate Health and Human Services Fiscal Analyst: Clare Pramuk (303-866-2677)

TITLE: CONCERNING FULL DISCLOSURE OF PHYSICIAN DESIGNATIONS MADE BY HEALTH CARE ENTITIES.

Summary of Legislation

This bill creates the Physician Designation Disclosure Act establishing minimum requirements to be used by a health care entity when developing a designation for a physician. A designation presented without the disclaimer stated in the bill is a misrepresentation. Upon request of the designated physician or the Commissioner of Insurance, a health care entity is required to disclose the process and data used in creating a designation. Physicians have the right to appeal a designation, during which time it cannot be used.

The bill allows a physician to take civil action against a health care entity. A health care entity violating the act, commits an unfair or deceptive practice in the business of insurance. The bill is effective 90 days following final adjournment of the General Assembly unless a referendum petition is filed (August 6, 2008, if final adjournment is May 7, 2008).

Assessment

This bill is assessed at no fiscal impact. A health care entity that commits an unfair or deceptive practice may be subject to an enforcement action by the Commissioner of Insurance, but none are expected. Civil cases filed by physicians are expected to be minimal and absorbable within existing judicial resources. No state appropriations are required.

Departments Contacted

Regulatory Agencies	Health Care Policy and Financing
Corrections	Public Health and Environment
Judicial	Higher Education
Human Services	Personnel and Administration