

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 20, 2005
Date

Committee on Health and Human Services.

After consideration on the merits, the Committee recommends the following:

SB05-216 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, line 14, strike "HOURS;" and substitute
- 2 "HOURS, OTHER THAN FOR DEMONSTRABLE EFFORTS TO MEET STAFFING
- 3 NEEDS;".

- 4 Page 3, line 6, strike "C.R.S." and substitute "C.R.S., OR CERTIFIED
- 5 PURSUANT TO SECTION 25-3.5-103, C.R.S.";

- 6 line 19, strike "CORRECT THE VIOLATION" and substitute "INVESTIGATE
- 7 THE ALLEGED VIOLATION AND TO MAKE CORRECTIONS IF A VIOLATION IS
- 8 CONFIRMED";

- 9 strike lines 26 and 27 and substitute the following:

- 10 "WRITING, WITH THE DEPARTMENT OR WITH THE APPROPRIATE LICENSING
- 11 OR DISCIPLINARY BOARD."

- 12 Page 4, line 1, strike "OFFICE" and substitute "DEPARTMENT OR
- 13 APPLICABLE BOARD";

- 14 line 5, strike "OFFICE." and substitute "DEPARTMENT OR APPLICABLE
- 15 BOARD." and, strike the second "OFFICE" and substitute "DEPARTMENT OR
- 16 BOARD";

- 17 line 7, strike "OFFICE" and substitute "DEPARTMENT OR BOARD";

1 strike lines 9 and 10 and substitute the following:

2 "TAKE DISCIPLINARY ACTION. THE DEPARTMENT AND THE APPLICABLE
3 BOARD SHALL PROVIDE INFORMATION TO THE OFFICE IF SUCH DEPARTMENT
4 OR BOARD DETERMINES THERE IS EVIDENCE OF A CRIMINAL VIOLATION BY
5 A HEALTH CARE PROVIDER.";

6 line 11, strike "OFFICE" and substitute "DEPARTMENT OR THE APPLICABLE
7 BOARD";

8 line 15, strike "OFFICE" and substitute "DEPARTMENT OR BOARD";

9 strike lines 17 through 19 and substitute the following:

10 "FACILITY UNDER INVESTIGATION."

11 Page 5, line 9, strike "NEGLIGENCE." and substitute "NEGLIGENCE, OR FOR
12 A VIOLATION OF ANY STATE OR FEDERAL LAW REQUIRING
13 CONFIDENTIALITY OF PATIENT INFORMATION. IF THE HEALTH CARE
14 PROVIDER IS ASSESSED A FINE OR PENALTY OR IS REQUIRED TO PAY A
15 JUDGMENT OR SETTLEMENT AS A RESULT OF DISCLOSURE OF CONFIDENTIAL
16 INFORMATION BY THE HEALTH CARE WORKER, THE HEALTH CARE WORKER
17 SHALL REIMBURSE THE HEALTH CARE PROVIDER FOR THE AMOUNT OF ANY
18 FINE, PENALTY, JUDGMENT, OR SETTLEMENT, AND ATTORNEY FEES AND
19 COSTS ASSOCIATED WITH DEFENDING ANY ASSOCIATED CLAIM."

** *** ** *** **