



*Colorado Legislative Council Staff Fiscal Note*  
**REVISED NO FISCAL IMPACT**

(replaces fiscal note dated February 16, 2009)

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**Drafting Number:** LLS 09-0821

**Date:** March 11, 2009

**Prime Sponsor(s):** Sen. Tochtrop  
Rep. Gagliardi

**Bill Status:** House Health and Human Services

**Fiscal Analyst:** Bill Zepernick (303-866-4777)

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**TITLE:** CONCERNING COMMUNICABLE DISEASE CONTROL.

### Summary of Legislation

The bill makes several changes to state law concerning communicable diseases. Specifically, the bill:

- ▶ requires all women to be tested for HIV during their first trimester of pregnancy, or when entering a hospital for delivery if not tested during pregnancy, unless a woman declines the test;
- ▶ allows state and local health officers to detain a person diagnosed with tuberculosis without a court order for up to five days and specifies procedures for seeking a court-ordered detention;
- ▶ clarifies the prohibition on working in food preparation when affected by an infectious disease;
- ▶ allows the State Board of Health to adopt rules for controlling infectious disease;
- ▶ creates an exception to the misdemeanor offense for violating a State Board of Health rule concerning infectious disease by allowing certain health professionals to be subject to a civil penalty for such a violation;
- ▶ defines "sexually transmitted infection" and replaces out-of-date medical terminology;
- ▶ repeals provisions concerning prescriptions for sexually transmitted infections and exemptions for reporting the personal information of research subjects participating in medical research studies on AIDS or HIV; and
- ▶ modifies the membership requirements of the HIV/AIDS Prevention Grant Program Advisory Committee.

The bill is effective upon signature of the Governor or becoming law without his signature.

### Assessment

The bill is assessed at no fiscal impact. The Department of Health Care Policy and Financing (DHCPF) may incur increased costs for HIV testing and treatment if some women who are currently untested are covered under Medicaid. However, current best practice recommends HIV testing during pregnancy, and Medicaid already includes HIV testing in the standard costs for treatment during pregnancy. Therefore, it is assumed that any increased costs in DHCPF can be absorbed within existing appropriations.

The courts may have increased workload concerning tuberculosis detentions and tuberculosis patients may require a court-appointed attorney. However, the number of such cases are expected to be small, and costs can be absorbed within existing appropriations.

**Departments Contacted**

Corrections  
Judicial

Health Care Policy and Financing  
Public Health and Environment

Human Services  
Law