


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

Drafting Number: LLS 10-0468**Date:** February 17, 2010**Prime Sponsor(s):** Rep. Riesberg
Sen. Sandoval**Bill Status:** House Health and Human Services
Fiscal Analyst: Josh Abram (303-866-3561)

TITLE: CONCERNING INCREASING PATIENT SAFETY OUTSIDE OF THE LITIGATION PROCESS, AND, IN CONNECTION THEREWITH, REQUIRING PHYSICIANS TO ENGAGE IN ONGOING PROFESSIONAL DEVELOPMENT, FACILITATING INFORMATION SHARING ABOUT HEALTH CARE WORKERS, AND REQUIRING DEMONSTRATION PROJECT DATA ABOUT REDRESS FOR ADVERSE HEALTH CARE OUTCOMES.

Summary of Legislation

This bill requires that medical doctors engage in ongoing professional development and attest to that when obtaining or renewing a license from the Board of Medical Examiners in the Department of Regulatory Agencies (DORA). Doctors are required to keep documentation of professional development activities. Failure to continue ongoing professional development is defined as unprofessional conduct. The state board may not initiate a complaint against a doctor solely on the basis of these requirements; however, the board may request documentation of compliance as part of a separate complaint investigation.

The bill creates the Patient Safety Act to require that health care providers make reasonable efforts to verify the employment history and references of all applicants for any job that involves access to patients. Health care providers and other employers must share known information regarding a health care applicant's work impairment, drug diversion, or patient abuse.

The act permits protected communications with patients and other interested persons as part of a health care assessment and allows information to be shared among health care providers without waiving the confidentiality or privilege of the information.

Finally, the Health and Human Services Committees of the General Assembly must request that one or more health care provider associations prepare a report on demonstration projects that explore alternatives to the existing medical liability litigation system. The report is due January 31, 2012. The act takes effect July 1, 2010.

Assessment

When applying for or renewing a license, doctors must attest to complying with the requirements of ongoing professional development. The changes to application procedures for medical licenses will be modified to allow the applicant's attestation and necessary rules will be modified. These activities can be accomplished with existing resources.

A doctor's failure to engage in ongoing professional development is defined as unprofessional conduct; however, the board may not initiate a charge of unprofessional conduct separate from other complaint investigations. This fiscal note assumes that compliance will be nearly universal, that no new charges of unprofessional conduct will result from the bill, and that no new expenditures for enforcement or legal services is required.

All employers of health care workers, including state agencies, are required to make reasonable efforts to verify employment and references of applicants for 7 years. Although this requirement is a change from current practice, state and local agencies are able to make the changes with existing resources. For these reasons the bill is assessed as having no fiscal impact.

Departments Contacted

Corrections
Local Affairs
Regulatory Agencies

Human Services
Public Health & Environment

Law
Public Safety