

Colorado Legislative Council Staff Fiscal Note
REVISED NO FISCAL IMPACT

(replaces fiscal note dated February 17, 2010)

Drafting Number: LLS 10-0468

Date: March 2, 2010

Prime Sponsor(s): Rep. Riesberg
 Sen. Sandoval

Bill Status: House Judiciary

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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 was amended by the House Human Services Committee. No later than 2013, the bill requires that the State Board of Medical Examiners, in cooperation with statewide medical professional associations, adopt rules for a professional development program for physicians and physician assistants.

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 employee's:

- ▶ work performance affected by drug or alcohol use;
- ▶ known drug tampering or diversion;
- ▶ patient abuse; or
- ▶ violent crimes.

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

The state board is required to adopt rules for professional development for physicians and physician assistants. This effort is not anticipated to create an administrative burden for the board and adopting the rules by the required deadline can be accomplished within existing appropriations.

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