

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 11, 2010
Date

Committee on Health and Human Services.

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

HB10-1050 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. Part 12 of article 1 of title 25, Colorado Revised
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
5 read:

6 **25-1-1204. On-line exchange of advanced directives forms**
7 **permitted.** A PUBLIC OR PRIVATE ENTITY, INCLUDING BUT NOT LIMITED
8 TO A NONPROFIT ORGANIZATION, THAT FACILITATES THE EXCHANGE OF
9 HEALTH INFORMATION AMONG CONSUMERS, EMPLOYERS, DOCTORS,
10 HOSPITALS, NURSING HOMES, PHARMACIES, HOME HEALTH AGENCIES,
11 HEALTH PLANS, AND LOCAL HEALTH INFORMATION AGENCIES THROUGH
12 THE USE OF HEALTH INFORMATION TECHNOLOGY MAY FACILITATE THE
13 VOLUNTARY, SECURE, AND CONFIDENTIAL EXCHANGE OF FORMS
14 CONTAINING ADVANCED DIRECTIVES REGARDING A PERSON'S ACCEPTANCE
15 OR REJECTION OF LIFE-SUSTAINING MEDICAL OR SURGICAL TREATMENT.

16 **SECTION 2.** 25-1.5-101 (1), Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

18 **25-1.5-101. Powers and duties of department.** (1) The
19 department has, in addition to all other powers and duties imposed upon
20 it by law, the powers and duties provided in this section as follows:

1 (bb) TO INCLUDE ON ITS PUBLIC WEB SITE HOME PAGE A LINK TO
2 FORMS CONTAINING ADVANCED DIRECTIVES REGARDING A PERSON'S
3 ACCEPTANCE OR REJECTION OF LIFE-SUSTAINING MEDICAL OR SURGICAL
4 TREATMENT, WHICH FORMS ARE AVAILABLE TO BE DOWNLOADED
5 ELECTRONICALLY.

6 **SECTION 3. Act subject to petition - effective date.** This act
7 shall take effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part shall not take effect
13 unless approved by the people at the general election to be held in
14 November 2010 and shall take effect on the date of the official
15 declaration of the vote thereon by the governor."

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