

**STATE
FISCAL IMPACT**

Drafting Number: LLS 11-0530 **Date:** February 2, 2011
Prime Sponsor(s): Rep. Labuda; Nikkel **Bill Status:** House Health and Environment
 Sen. Boyd **Fiscal Analyst:** Clare Pramuk (303-866-2677)

TITLE: CONCERNING THE DISCLOSURE OF EMPLOYMENT INFORMATION TO AN EMPLOYER REGARDING A HEALTH CARE WORKER, AND, IN CONNECTION THEREWITH, GRANTING IMMUNITY FROM CIVIL LIABILITY FOR THE DISCLOSURE OF INFORMATION AND CREATING AN EXCEPTION FROM THE PROHIBITION AGAINST BLACKLISTING FOR THE DISCLOSURE OF INFORMATION.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures	See State Expenditures section.	
FTE Position Change		
Effective Date: July 1, 2011.		
Appropriation Summary for FY 2011-2012: None.		
Local Government Impact: None		

Summary of Legislation

This bill allows an employer, when acting in good faith, to disclose certain information about a person it employs, or has employed, as a health care worker. The information concerns drug diversion or tampering, patient abuse, violation of employer drug or alcohol policies, and crimes of violence by the health care worker. Such disclosure does not violate prohibitions against blacklisting. The disclosing employer is granted immunity from civil liability unless the health care worker can prove that the employer did not act in good faith.

State Expenditures

This bill is assessed as having a minimal fiscal impact to the Judicial Branch but not sufficient to require a change in appropriations.

Because the authorization to disclose information is coupled with civil immunity for damages resulting from the good faith disclosure, few cases are expected to be brought against employers. As such, the Judicial Branch is expected to have little to no impact on court workload.

Departments Contacted

Judicial Regulatory Agencies