

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING MODIFICATIONS TO THE SYSTEM OF REGULATION OF HEALTH FACILITIES CURRENTLY REGULATED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

Prime Sponsors: Representative Liston  
Senator Tochtrop

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**Summary of Amendments Made to the Bill After the 03/29/12 Legislative Council Staff Revised Fiscal Note Was Prepared (Amended by the House Committee of the Whole 04/17/12 and the Senate Business, Labor and Technology Committee 04/23/12)**

The House Committee of the Whole:

- Allowed the Department to require an applicant to attest to the accuracy of information provided on the licensure application;
- Clarified various aspects of the fitness review of a change of ownership the Department is required to review and evaluate;
- Changed the composition of the Health Facility Advisory Committee to include three health care professionals in place of three registered nurses; and
- Made technical changes.

The Senate Business, Labor and Technology Committee:

- Included the following within the definition of a community clinic:
  - facilities that provide extended observation and additional related services for no more than seventy-two hours;
  - exempted facilities subject to other licensure requirements, except those facilities that opt to receive gifts, grants, donations or government funds, or public/private reimbursement for services rendered;
  - community clinics operated by the Department of Corrections;
- Clarified what information regarding felony convictions must be disclosed; and
- Allowed the State Board of Health to increase the amount of a provisional license fee by more than the annual percentage of the Denver-Boulder-Greeley consumer price index.

**Legislative Council Fiscal Note Staff and Joint Budget Committee Staff agree these amendments do not change the fiscal impact of the bill.**

**JBC Staff Concurrence with Legislative Council Staff Fiscal Note**

**Concurs**                       **Does Not Concur**                       **Updated Analysis**

**Amendments/Appropriation Status**

The bill includes a "no appropriation" clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$183,730 cash funds from the Health Facilities General Licensure Cash Fund and 2.4 FTE to the Health Facilities General Licensure Program in the Department of Public Health and Environment for FY 2012-13.

**Bill Sponsor Amendments**

Staff is not aware of any sponsor amendments to be offered.

**Points to Consider**

If the General Assembly requires the Department to use existing resources for the implementation of this bill, it is unlikely the Department will have sufficient funds to fund the requirements of this bill and to maintain a reasonable reserve balance based on the projected FY 2012-13 uncommitted fund balance of \$212,190 and the projected FY 2013-14 uncommitted fund balance of \$67,219.