

An Act

SENATE BILL 12-074

BY SENATOR(S) Aguilar, Boyd, Carroll, Foster, Giron, Guzman, Heath, Jahn, Morse, Newell, Nicholson, Spence, Steadman, Tochtrop, White, Williams S.;
also REPRESENTATIVE(S) Gardner B., Fischer, Kefalas, Kerr J., Labuda, Massey, Young.

CONCERNING SERVICES PROVIDED BY A PERSON DESIGNATED BY A PERSON
ELIGIBLE FOR CONSUMER-DIRECTED CARE SERVICES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 15-14-310, **amend** (5)
(a) as follows:

15-14-310. Who may be guardian - priorities - prohibition of dual roles. (5) (a) Unless the court makes specific findings for good cause shown or the person is a family caregiver as defined in section 27-10.5-102 (15.5), C.R.S., OR THE PERSON IS A CAREGIVER TO AN ELIGIBLE PERSON PURSUANT TO SECTION 25.5-6-1101 (4), C.R.S., the same professional may not act as an incapacitated person's or a protected person's:

(I) Guardian and conservator; or

(II) Guardian and direct service provider; or

(III) Conservator and direct service provider.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO