

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 12-0691.01 Jerry Barry x4341

SENATE BILL 12-074

SENATE SPONSORSHIP

Aguilar,

HOUSE SPONSORSHIP

Gardner B.,

Senate Committees
Judiciary

House Committees
Judiciary

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

A person eligible for consumer-directed care services (eligible person) may designate a family member or authorized representative to be responsible for managing financial matters associated with the eligible person's care or to direct the eligible person's care. The bill authorizes the designee to be a direct service provider for the eligible person.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
Am ended 2nd Reading
March 23, 2012

SENATE
3rd Reading Unam ended
February 13, 2012

SENATE
Am ended 2nd Reading
February 10, 2012

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

2

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

5 **15-14-310. Who may be guardian - priorities - prohibition of**
6 **dual roles.** (5) (a) Unless the court makes specific findings for good
7 cause shown or the person is a family caregiver as defined in section
8 27-10.5-102 (15.5), C.R.S., OR THE PERSON IS A CAREGIVER TO AN
9 ELIGIBLE PERSON PURSUANT TO SECTION 25.5-6-1101 (4), C.R.S., the
10 same professional may not act as an incapacitated person's or a protected
11 person's:

- 12 (I) Guardian and conservator; or
13 (II) Guardian and direct service provider; or
14 (III) Conservator and direct service provider.

15

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