

**STATE  
FISCAL IMPACT**

<b>Drafting Number:</b> LLS 14-0773	<b>Date:</b> February 19, 2014
<b>Prime Sponsor(s):</b> Rep. Melton Sen. Newell	<b>Bill Status:</b> House Health, Insurance, & Environment <b>Fiscal Analyst:</b> Lauren Schreier (303-866-3523)

**SHORT TITLE:** MENTAL HEALTH DUTY TO WARN TARGET ENTITIES

<b>Fiscal Impact Summary*</b>	<b>FY 2014-2015</b>	<b>FY 2015-2016</b>
<b>State Revenue</b>		
<b>State Expenditures</b>	Potential workload decrease.	
<b>FTE Position Change</b>		
<b>Appropriation Required:</b> None.		

\* This summary shows changes from current law under the bill for each fiscal year.

**Summary of Legislation**

Current law provides civil immunity for mental health providers who have a duty to warn a specific person or persons when a patient has communicated to a provider a serious threat of imminent physical violence against a person or persons.<sup>1</sup> The bill repeals and reenacts this statute to extend that immunity to organizations that provide mental health services and to extend the duty to warn to include a warning to specific entities that, if damaged or attacked, would pose harm to public health and safety. This civil immunity from liability applies only to situations where a patient has communicated to a mental health provider a serious threat of imminent physical violence to an entity or entities. The bill provides related definitions.

**State Expenditures**

The bill may decrease workload for the Judicial Branch by a minimal amount. By expanding immunity to additional potential parties in litigation, the trial courts within the Judicial Branch may see a slight decrease in the number or complexity of current and future cases. However, given the relatively low number of cases related to duty to warn and mental health provider immunity, this may be conducted within the normal course of business and does not require any adjustment to Judicial Branch appropriations.

**Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

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<sup>1</sup> Section 13-21-117, C.R.S.

**State and Local Government Contacts**

Human Services  
Regulatory Agencies  
Municipal League  
Judicial

Public Health and Environment  
Counties  
Special Districts