

## Colorado Legislative Council Staff Fiscal Note



# STATE FISCAL IMPACT

**Drafting Number:** LLS 15-1009**Date:** April 14, 2015**Prime Sponsor(s):** Rep. Melton**Bill Status:** House Health, Insurance, & Environment**Fiscal Analyst:** Bill Zepernick (303-866-4777)**BILL TOPIC:** LIMITATION ON MENTAL HEALTH DISCIPLINARY ACTIONS

| Fiscal Impact Summary*        | FY 2015-2016                            | FY 2016-2017 |
|-------------------------------|---|--------------|
| State Revenue                 |   |              |
| State Expenditures            | Minimal workload increase and decrease. |              |
| FTE Position Change           |   |              |
| Appropriation Required: None. |   |              |

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

## Summary of Legislation

The bill requires that any complaint filed with the Division of Professions and Occupations (division) in the Department of Regulatory Agencies (DORA) against a mental health professional be filed within seven years of an alleged act or failure to act. This bill applies only to complaints concerning violations relating to the maintenance of records for adult patients by regulated mental health professionals. This limitation does not apply to other prohibited professional practices. Covered mental health professionals include psychologists, social workers, marriage and family therapists, professional counselors, addiction counselors, and psychotherapists.

## State Expenditures

The bill may both increase and decrease workload in DORA; however, any net change is assumed to be minimal and no adjustments in appropriations are required.

**Limitations on disciplinary proceedings.** The bill may reduce workload in DORA by limiting the ability of the division to commence disciplinary proceedings in some cases. However, it is assumed that most complaints are filed within seven years of an alleged violation, so any potential decrease in workload will be minimal.

**Outreach and rulemaking.** The division may have a small amount of workload to update rules and inform regulated mental health professionals about the changes in the bill. This increase in workload is minimal and can be accomplished within existing resources.

**Effective Date**

The bill takes effect July 1, 2015, and applies to complaints filed on or after this date.

**State and Local Government Contacts**

Regulatory Agencies  
Counties

Corrections

Human Services