

SENATE JOURNAL
Sixty-second General Assembly
STATE OF COLORADO
Second Regular Session

35th Legislative Day

Tuesday, February 8, 2000

Call to Order By the President at 9:00 a.m.

Prayer By the chaplain, Reverend Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge.

Roll Call	Present--Total, 32.
	Absent/Excused--Lacy, Tebedo, Wham--Total, 3.
	Present later--Lacy, Tebedo, Wham.

Quorum The President announced a quorum present.

Reading of Journal	Senator Hillman moved that the reading of the Journal of Monday, February 7 th be dispensed with and that the Journal stand approved as corrected by the Secretary.
--------------------	--

On a substitute motion, Senator Blickensderfer moved that the Journal of February 7th be amended as follows:

"Page 227, line 17, strike "moved for reconsideration" and substitute "gave notice of intent to move for reconsideration".

Strike lines 20 through 21."

A majority of all members elected to the Senate having voted in the affirmative, the substitute motion was adopted.

Senator Hillman renewed his motion that the reading of the Journal of February 7th be dispensed with and that the Journal, as amended, stand approved as corrected by the Secretary.

A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted.

SENATE SERVICES REPORT

Senate
Services

Correctly printed: SB 00-190, 191; SCR 00-004.

THIRD READING OF BILL--FINAL PASSAGE

On Third Reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB 00-106 by Sen. Owen; Rep. Taylor--Insurance Deregulation

A majority of those elected to the Senate having voted in the affirmative, Senator Owen was given permission to offer a Third Reading amendment.

Third Reading Amendment No. 1, by Senator Owen

Amend engrossed bill, page 5, strike lines 25 and 26, and substitute the following:

"amended to read:".

Page 7, line 2, after the period, add "AN INSURER SHALL CERTIFY, PURSUANT TO SECTION 10-4-725, TO THE COMMISSIONER ANY DISCLOSURE FORM USED TO RECORD AN INSURED'S ELECTION FOR ANY COVERAGE AUTHORIZED IN THIS SUBSECTION (3).";

strike lines 3 through 9.

SB 00-106
A majority of all members elected to the Senate having voted in the affirmative, the amendment was declared adopted.

The question being "Shall the bill, as amended, pass?" the roll was called with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	N
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was declared PASSED.

Co-sponsor added: Tebedo.

On motion of Senator Blickensderfer, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Governor’s appointment.

CONSIDERATION OF GOVERNOR’S APPOINTMENT

On motion of Senator Epps, the following Governor’s appointment was confirmed by a roll call vote:

COLORADO COMMISSION
ON THE AGING

for a term expiring July 1, 2000:

Mary Jane Hangs of Silt, Colorado, to serve as a Republican from the Third Congressional District and to fill a vacancy occasioned by the resignation of Sandra Ortega, appointed;

for terms expiring July 1, 2002:

Mary L. Steiner of Allenspark, Colorado, to serve as a Republican from the Second Congressional District, reappointed;

Richard Larsen of Colorado Springs, Colorado, to serve as a Republican from the Fifth Congressional District, appointed.

for a term expiring when she is no longer a member of the Colorado State Senate:

The Honorable Dottie Wham of Denver, Colorado, to serve as a Republican, as a member of the Colorado State Senate, and to replace the Honorable Sally Hopper, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

On motion of Senator Blickensderfer, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, February 8, was laid over until Wednesday, February 9, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS

Business
Affairs
and Labor

After consideration on the merits, the committee recommends that the following be postponed indefinitely: SB00-082

Business
Affairs
and Labor

After consideration on the merits, the committee recommends that the following be postponed indefinitely: SB00-116

Senate in recess.

Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Judiciary

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on State, Veterans, & Military Affairs: SB00-165

Business
Affairs
and Labor

After consideration on the merits, the committee recommends that SB00-179 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, after line 22, insert the following:

"SECTION 3. 12-43-204 (3.5), Colorado Revised Statutes, is amended to read:

12-43-204. Fees - renewal. (3.5) The director of the division of registrations shall coordinate fee setting pursuant to this section so that all licensees, registrants, and unlicensed psychotherapists pay fees as required by this section, ~~and~~ section 12-43-702.5 (1), AND SECTION 24-34-102 (15), C.R.S. The fees for renewal of licenses or registrations for SPECIALISTS IN SCHOOL PSYCHOLOGY, psychologists, social workers, marriage and family therapists, and professional counselors and for listing in the data base for unlicensed psychotherapists pursuant to this section shall be uniform."

Renumber succeeding sections accordingly.

Business
Affairs
and Labor

After consideration on the merits, the committee recommends that the following be postponed indefinitely: SB00-030

Business
Affairs
and Labor

After consideration on the merits, the committee recommends that SB00-188 be amended as follows and, as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute the following:

"SECTION 1. 25-1-801 (1) (b) (I), Colorado Revised Statutes, is amended, and the said 25-1-801 (1) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

25-1-801. Patient records in custody of health care facility.

(1) (b) (I) Following any treatment, procedure, or health care service rendered by a health facility licensed or certified pursuant to section 25-1-107 (1) or article 3 of this title, or both, or by an entity regulated under title 10, C.R.S., providing health care services, as defined in section 10-16-102 (22), C.R.S., directly or indirectly through a managed care plan, as defined in section 10-16-102 (26.5), C.R.S., or otherwise, copies of said records, including X rays, shall be furnished to the patient WITHIN A REASONABLE PERIOD OF TIME, GENERALLY NOT TO EXCEED TEN DAYS FOLLOWING ~~upon~~ submission of a written authorization-request for records, dated and signed by the patient, and upon the payment of ~~the reasonable costs~~ FEES DESCRIBED IN PARAGRAPH (e) OF THIS SUBSECTION (1).

(e) (I) EFFECTIVE SEPTEMBER 1, 2000, A CUSTODIAN OF PATIENT RECORDS SHALL BE ENTITLED TO FEES FOR THE PROVISION OF COPIES OF PATIENT RECORDS TO PATIENTS OR THEIR DESIGNATED REPRESENTATIVES NOT TO EXCEED THE AMOUNTS ESTABLISHED AND ADJUSTED PURSUANT TO THIS PARAGRAPH (e). THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL CONDUCT A ONE-TIME SURVEY PURSUANT TO SUB-SUBPARAGRAPHS (A) AND (C) OF THIS SUBPARAGRAPH (I) AND POST ON ITS HOME PAGE ON THE WORLD WIDE WEB A LISTING OF THE FOLLOWING FEES:

(A) A SEARCH AND RETRIEVAL FEE THAT INITIALLY IS EQUAL TO THE AVERAGE OF SUCH FEES IN ALL STATES IN WHICH SIMILAR FEES ARE REGULATED, EXCLUDING FROM SUCH AVERAGE THE LOW FEE AND THE HIGH FEE; EXCEPT THAT IN NO EVENT SHALL SUCH SEARCH AND RETRIEVAL FEE INITIALLY EXCEED FOURTEEN DOLLARS;

(B) FOR MAKING AND PROVIDING COPIES FROM MEDIA OTHER THAN MICROFILM, NO CHARGE FOR PAGES ONE TO TEN, FIFTY CENTS PER PAGE FOR PAGES ELEVEN TO FORTY, AND THIRTY-THREE CENTS PER PAGE FOR ALL PAGES OVER FORTY; AND

(C) A PER PAGE FEE FOR COPIES MADE FROM MICROFILM THAT INITIALLY IS EQUAL TO THE AVERAGE OF SUCH FEES IN ALL STATES IN WHICH SIMILAR FEES ARE SEPARATELY REGULATED.

(II) SEARCH AND RETRIEVAL AND PER-PAGE FEES SHALL APPLY EQUALLY TO ALL NONGOVERNMENTAL REQUESTERS WITHIN THE STATE.

(III) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL, IN JANUARY OF EACH YEAR, ADJUST THE FEES DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (e) IN ACCORDANCE WITH CHANGES IN THE UNITED STATES BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE DENVER-BOULDER CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN CONSUMERS, ALL GOODS, OR ITS SUCCESSOR INDEX. THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL, WITHIN TEN DAYS OF SUCH ADJUSTMENT, UPDATE THE LISTING ON ITS HOME PAGE ON THE WORLD WIDE WEB PURSUANT TO SUCH ADJUSTMENT.

(IV) BEGINNING IN 2003 AND EVERY THREE YEARS THEREAFTER, THE STATE BOARD OF HEALTH SHALL CONDUCT A PUBLIC HEARING TO REVIEW THE APPROPRIATENESS OF THE FEES ESTABLISHED PURSUANT TO THIS PARAGRAPH (e) AND REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY. IN MAKING ITS DETERMINATION THE BOARD SHALL CONSIDER THE FOLLOWING FACTORS:

(A) WHETHER CHANGES IN TECHNOLOGY HAVE AFFECTED THE PROVISION OF PATIENT RECORD REPRODUCTION SERVICES;

(B) HOW THE FEES ESTABLISHED IN THIS PARAGRAPH (e) COMPARE TO SIMILAR REGULATED FEES IN OTHER STATES; AND

(C) WHETHER THE FEES PLACE A PROHIBITIVE BURDEN ON PERSONS OBTAINING COPIES OF PATIENT RECORDS.

(f) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (1), UNTIL JANUARY 1, 2002, NO CUSTODIAN OF PATIENT RECORDS SHALL, ABSENT MUTUAL AGREEMENT WITH A PROSECUTING ATTORNEY, CHARGE

ANY PROSECUTING ATTORNEY ANY FEE THAT IS GREATER THAN THAT WHICH CUSTOMARILY WAS CHARGED TO SUCH PROSECUTING ATTORNEY AS OF THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, NOR SHALL ANY CUSTODIAN OF PATIENT RECORDS REQUIRE THE PAYMENT OF ANY SUCH FEE BY A PROSECUTING ATTORNEY EARLIER THAN SUCH FEE WAS CUSTOMARILY REQUIRED TO BE PAID BY A PROSECUTING ATTORNEY AS OF THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED.

(g) NOTHING IN THIS SECTION SHALL LIMIT OR PROHIBIT ANY OTHER STATUTORY RIGHT OF A PATIENT TO INSPECT OR COPY HIS OR HER PATIENT RECORDS. NOTHING IN THIS SECTION SHALL LIMIT OR PROHIBIT ANY OTHER RIGHT OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, OR THE COLORADO MEDICAID FRAUD CONTROL UNIT OF THE DEPARTMENT OF LAW TO INSPECT OR COPY PATIENT RECORDS WHEN ACTING IN AN OFFICIAL CAPACITY AND PERFORMING DUTIES AS PROVIDED FOR UNDER STATUTORY REQUIREMENTS.

SECTION 2. 25-1-801, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

25-1-801. Patient records in custody of health care facility.
(4) (a) IF THE PARTY REQUESTING A COPY BELIEVES THAT THE COPY IS NOT LEGIBLE, SUCH PARTY SHALL SO NOTIFY THE PARTY PRODUCING THE COPY. IF THE PARTY PRODUCING THE COPY AGREES, WHICH AGREEMENT SHALL NOT BE UNREASONABLY WITHHELD, SUCH PARTY SHALL EITHER:

- (I) DEMONSTRATE THAT THE ORIGINAL IS NOT LEGIBLE; OR
- (II) PROVIDE TO THE REQUESTING PARTY A LEGIBLE COPY OF THE ORIGINAL AT NO EXTRA CHARGE.

(b) IF THE PARTY REQUESTING A COPY BELIEVES THAT THE COPY IS NOT A COMPLETE COPY OF ALL MATERIAL ON AN ORIGINAL PAGE OR MICROFILM, SUCH PARTY SHALL SO NOTIFY THE PARTY PRODUCING THE COPY. IF THE PARTY PRODUCING THE COPY AGREES, WHICH AGREEMENT SHALL NOT BE UNREASONABLY WITHHELD, SUCH PARTY SHALL EITHER:

- (I) DEMONSTRATE THAT THE ORIGINAL IS INCOMPLETE; OR
- (II) PROVIDE A COMPLETE COPY OF THE ORIGINAL AT NO EXTRA CHARGE.

(c) SUBJECT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION REGARDING MENTAL HEALTH PATIENT RECORDS, IF THE PARTY REQUESTING A COPY OF A MULTI-PAGE RECORD BELIEVES THAT THE COPY DOES NOT CONTAIN ALL PAGES IN THE ORIGINAL RECORD, SUCH PARTY SHALL SO NOTIFY THE PARTY PRODUCING THE COPY. IF THE PARTY PRODUCING THE COPY AGREES, WHICH AGREEMENT SHALL NOT BE UNREASONABLY WITHHELD, SUCH PARTY SHALL EITHER:

- (I) DEMONSTRATE THAT THE ORIGINAL DOES NOT CONTAIN SUCH PAGES; OR
- (II) PROVIDE COPIES OF THE MISSING PAGES AT NO EXTRA CHARGE.

(5) FOR THE PURPOSES OF THIS SECTION, "DESIGNATED REPRESENTATIVE" SHALL NOT MEAN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, OR THE COLORADO MEDICAID FRAUD CONTROL UNIT OF THE DEPARTMENT OF LAW WHEN ACTING IN AN OFFICIAL CAPACITY AND PERFORMING DUTIES AS PROVIDED FOR UNDER STATUTORY REQUIREMENTS.

SECTION 3. 25-1-802 (1) (b) (I), Colorado Revised Statutes, is amended, and the said 25-1-802 (1) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

25-1-802. Patient records in custody of individual health care providers. (1) (b) (I) A copy of such records, including X rays, shall be made available to the patient or the patient's designated representative WITHIN A REASONABLE PERIOD OF TIME, GENERALLY NOT TO EXCEED TEN

DAYS FOLLOWING RECEIPT OF THE ~~upon~~ written authorization-request for a copy of such records, dated and signed by the patient, upon reasonable notice and payment of the ~~reasonable costs~~ FEES DESCRIBED IN PARAGRAPH (c) OF THIS SUBSECTION (1).

(c) (I) EFFECTIVE SEPTEMBER 1, 2000, A CUSTODIAN OF PATIENT RECORDS SHALL BE ENTITLED TO FEES FOR THE PROVISION OF COPIES OF PATIENT RECORDS TO PATIENTS OR THEIR DESIGNATED REPRESENTATIVES NOT TO EXCEED THE AMOUNTS ESTABLISHED AND ADJUSTED PURSUANT TO THIS PARAGRAPH (c). THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL CONDUCT A ONE-TIME SURVEY PURSUANT TO SUB-SUBPARAGRAPHS (A) AND (C) OF THIS SUBPARAGRAPH (I) AND POST ON ITS HOME PAGE ON THE WORLD WIDE WEB A LISTING OF THE FOLLOWING FEES:

(A) A SEARCH AND RETRIEVAL FEE THAT INITIALLY IS EQUAL TO THE AVERAGE OF SUCH FEES IN ALL STATES IN WHICH SIMILAR FEES ARE REGULATED, EXCLUDING FROM SUCH AVERAGE THE LOW FEE AND THE HIGH FEE; EXCEPT THAT IN NO EVENT SHALL SUCH SEARCH AND RETRIEVAL FEE INITIALLY EXCEED FOURTEEN DOLLARS;

(B) FOR MAKING AND PROVIDING COPIES FROM MEDIA OTHER THAN MICROFILM, NO CHARGE FOR PAGES ONE TO TEN, FIFTY CENTS PER PAGE FOR PAGES ELEVEN TO FORTY, AND THIRTY-THREE CENTS PER PAGE FOR ALL PAGES OVER FORTY; AND

(C) A PER PAGE FEE FOR COPIES MADE FROM MICROFILM THAT INITIALLY IS EQUAL TO THE AVERAGE OF SUCH FEES IN ALL STATES IN WHICH SIMILAR FEES ARE SEPARATELY REGULATED.

(II) SEARCH AND RETRIEVAL AND PER-PAGE FEES SHALL APPLY EQUALLY TO ALL NONGOVERNMENTAL REQUESTERS WITHIN THE STATE.

(III) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL, IN JANUARY OF EACH YEAR, ADJUST THE FEES DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) IN ACCORDANCE WITH CHANGES IN THE UNITED STATES BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE DENVER-BOULDER CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN CONSUMERS, ALL GOODS, OR ITS SUCCESSOR INDEX. THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL, WITHIN TEN DAYS OF SUCH ADJUSTMENT, UPDATE THE LISTING ON ITS HOME PAGE ON THE WORLD WIDE WEB PURSUANT TO SUCH ADJUSTMENT.

(IV) BEGINNING IN 2003 AND EVERY THREE YEARS THEREAFTER, THE STATE BOARD OF HEALTH SHALL CONDUCT A PUBLIC HEARING TO REVIEW THE APPROPRIATENESS OF THE FEES ESTABLISHED PURSUANT TO THIS PARAGRAPH (c) AND REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY. IN MAKING ITS DETERMINATION THE BOARD SHALL CONSIDER THE FOLLOWING FACTORS:

(A) WHETHER CHANGES IN TECHNOLOGY HAVE AFFECTED THE PROVISION OF PATIENT RECORD REPRODUCTION SERVICES;

(B) HOW THE FEES ESTABLISHED IN THIS PARAGRAPH (c) COMPARE TO SIMILAR REGULATED FEES IN OTHER STATES; AND

(C) WHETHER THE FEES PLACE A PROHIBITIVE BURDEN ON PERSONS OBTAINING COPIES OF PATIENT RECORDS.

(d) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (1), UNTIL JANUARY 1, 2002, NO CUSTODIAN OF PATIENT RECORDS SHALL, ABSENT MUTUAL AGREEMENT WITH A PROSECUTING ATTORNEY, CHARGE ANY PROSECUTING ATTORNEY ANY FEE THAT IS GREATER THAN THAT WHICH CUSTOMARILY WAS CHARGED TO SUCH PROSECUTING ATTORNEY AS OF THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, NOR SHALL ANY CUSTODIAN OF PATIENT RECORDS REQUIRE THE PAYMENT OF ANY SUCH FEE BY A PROSECUTING ATTORNEY EARLIER THAN SUCH FEE WAS CUSTOMARILY REQUIRED TO BE PAID BY A PROSECUTING ATTORNEY AS OF THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED.

(e) NOTHING IN THIS SECTION SHALL LIMIT OR PROHIBIT ANY

OTHER STATUTORY RIGHT OF A PATIENT TO INSPECT OR COPY HIS OR HER PATIENT RECORDS. NOTHING IN THIS SECTION SHALL LIMIT OR PROHIBIT ANY OTHER RIGHT OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, OR THE COLORADO MEDICAID FRAUD CONTROL UNIT OF THE DEPARTMENT OF LAW TO INSPECT OR COPY PATIENT RECORDS WHEN ACTING IN AN OFFICIAL CAPACITY AND PERFORMING DUTIES AS PROVIDED FOR UNDER STATUTORY REQUIREMENTS.

SECTION 4. 25-1-802, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

25-1-802. Patient records in custody of individual health care providers. (5) (a) IF THE PARTY REQUESTING A COPY BELIEVES THAT THE COPY IS NOT LEGIBLE, SUCH PARTY SHALL SO NOTIFY THE PARTY PRODUCING THE COPY. IF THE PARTY PRODUCING THE COPY AGREES, WHICH AGREEMENT SHALL NOT BE UNREASONABLY WITHHELD, SUCH PARTY SHALL EITHER:

- (I) DEMONSTRATE THAT THE ORIGINAL IS NOT LEGIBLE; OR
- (II) PROVIDE TO THE REQUESTING PARTY A LEGIBLE COPY OF THE ORIGINAL AT NO EXTRA CHARGE.

(b) IF THE PARTY REQUESTING A COPY BELIEVES THAT THE COPY IS NOT A COMPLETE COPY OF ALL MATERIAL ON AN ORIGINAL PAGE OR MICROFILM, SUCH PARTY SHALL SO NOTIFY THE PARTY PRODUCING THE COPY. IF THE PARTY PRODUCING THE COPY AGREES, WHICH AGREEMENT SHALL NOT BE UNREASONABLY WITHHELD, SUCH PARTY SHALL EITHER:

- (I) DEMONSTRATE THAT THE ORIGINAL IS INCOMPLETE; OR
- (II) PROVIDE A COMPLETE COPY OF THE ORIGINAL AT NO EXTRA CHARGE.

(c) SUBJECT TO PARAGRAPHS (a) AND (b) OF SUBSECTION (1) OF THIS SECTION REGARDING MENTAL HEALTH PATIENT RECORDS, IF THE PARTY REQUESTING A COPY OF A MULTI-PAGE RECORD BELIEVES THAT THE COPY DOES NOT CONTAIN ALL PAGES IN THE ORIGINAL RECORD, SUCH PARTY SHALL SO NOTIFY THE PARTY PRODUCING THE COPY. IF THE PARTY PRODUCING THE COPY AGREES, WHICH AGREEMENT SHALL NOT BE UNREASONABLY WITHHELD, SUCH PARTY SHALL EITHER:

- (I) DEMONSTRATE THAT THE ORIGINAL DOES NOT CONTAIN SUCH PAGES; OR
- (II) PROVIDE COPIES OF THE MISSING PAGES AT NO EXTRA CHARGE.

(6) FOR THE PURPOSES OF THIS SECTION, "DESIGNATED REPRESENTATIVE" SHALL NOT MEAN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, OR THE COLORADO MEDICAID FRAUD CONTROL UNIT OF THE DEPARTMENT OF LAW WHEN ACTING IN AN OFFICIAL CAPACITY AND PERFORMING DUTIES AS PROVIDED FOR UNDER STATUTORY REQUIREMENTS.

SECTION 5. 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."

MESSAGE FROM THE HOUSE

February 8, 2000

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB00-1148,1149,1161,1190.

The House has passed on Third Reading and transmitted to the Revisor of Statutes

HB00-1037, amended as printed in House Journal, February 7, page 391.
HB00-1105, amended as printed in House Journal, February 7, page 393.
HB00-1145, amended as printed in House Journal, February 7, pages 387-390.
HB00-1154, amended as printed in House Journal, February 7, pages 390-391.

MESSAGE FROM THE REVISOR

February 8, 2000

We herewith transmit:

without comment, HB00-1148, 1149, 1161, and 1190; and
without comment, as amended, HB00-1037, 1105, 1145 and 1154.

TRIBUTES--A POINT OF INTEREST

- Honoring Bill Maguire by Senator Thiebaut
- Honoring Lincoln Home Orphanage by Senator Thiebaut
- Honoring Rye High School by Senator Thiebaut
- Honoring Benjamin Franklin Elementary School by Senator Thiebaut
- Honoring Belmont Elementary School by Senator Thiebaut
- Honoring South Park Elementary School by Senator Thiebaut
- Honoring Sunset Park Elementary School by Senator Thiebaut
- Honoring Corwin Middle School by Senator Thiebaut
- Honoring Freed Middle School by Senator Thiebaut
- Honoring James H. Risley Middle School by Senator Thiebaut

On motion of Senator Blickensderfer, the Senate adjourned until 9:00 a.m., Wednesday, February 9, 2000.

Approved:

Ray Powers
President of the Senate

Attest:

Patricia K. Dicks
Secretary of the Senate