

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB21-1123 be amended as follows:

1 Amend reengrossed bill, page 3, strike lines 10 through 12 and substitute:

2 "(X) THE DISCLOSURE IS MADE PURSUANT TO SECTION 26-3.1-111  
3 (12) TO A HEALTH OVERSIGHT AGENCY, AS DEFINED IN 42 CFR 164.501,  
4 WITHIN THE DEPARTMENT OF REGULATORY AGENCIES OR A REGULATOR,  
5 AS DEFINED IN SECTION 12-20-102 (14), WITHIN SUCH A HEALTH  
6 OVERSIGHT AGENCY; AND".

7 Page 4, line 9, after "EMPLOYEE" insert "WHO HOLDS A HEALTH-CARE  
8 PROVIDER OR HEALTH-CARE OCCUPATION LICENSE AND".

9 Page 4, line 13, strike "PROFESSIONAL" and substitute "HEALTH-CARE  
10 PROVIDER OR HEALTH-CARE OCCUPATION LICENSE".

11 Page 5, strike lines 6 through 11 and substitute "INCLUDING THE APPEAL  
12 OUTCOME WITH A HEALTH OVERSIGHT AGENCY, AS DEFINED IN 42 CFR  
13 164.501, WITHIN THE DEPARTMENT OF REGULATORY AGENCIES OR A  
14 REGULATOR, AS DEFINED IN SECTION 12-20-102 (14), WITHIN SUCH A  
15 HEALTH OVERSIGHT AGENCY, IF THE HEALTH OVERSIGHT AGENCY OR ITS  
16 REGULATOR REQUESTS INFORMATION ABOUT AN APPEAL FOR".

17 Page 6, line 22, strike "REQUEST," and substitute "REQUEST AND USING  
18 FORMS APPROVED BY THE STATE DEPARTMENT,".

19 Page 7, line 12, after "NOTIFY" insert "A HEALTH OVERSIGHT AGENCY, AS  
20 DEFINED IN 42 CFR 164.501, WITHIN".

21 Page 7, line 13, after "REGULATOR" insert "WITHIN SUCH A HEALTH  
22 OVERSIGHT AGENCY".

23 Page 7, line 14, strike "REGULATOR," and substitute "REGULATOR WITHIN  
24 SUCH A HEALTH OVERSIGHT AGENCY,".

25 Page 7, line 18, after "TO" insert "A HEALTH OVERSIGHT AGENCY, AS  
26 DEFINED IN 42 CFR 164.501, WITHIN".

27 Page 7, line 20, after "12-20-102 (14)," insert "WITHIN SUCH A HEALTH  
28 OVERSIGHT AGENCY,".

29 Page 8, line 2, after "CONDUCTED" insert "BY A HEALTH OVERSIGHT  
30 AGENCY, AS DEFINED IN 42 CFR 164.501".

- 1 Page 9, line 4, after "DEPARTMENT" insert "USING FORMS APPROVED BY  
2 THE STATE DEPARTMENT".
- 3 Page 9, line 5, after "ADULT." insert "THE COURT SHALL REQUIRE THE  
4 PETITIONER FOR CONSERVATORSHIP OR GUARDIANSHIP TO COMPLETE THE  
5 STATE-DEPARTMENT-APPROVED WRITTEN AUTHORIZATION PRIOR TO  
6 REQUESTING A CAPS CHECK."
- 7 Page 9, line 21, strike "RULES" and substitute "RULES."
- 8 Page 9, strike line 22 and substitute "IF THE APPEAL IS ACTIVE AT THE  
9 TIME THE STATE DEPARTMENT NOTIFIES THE COURT OF THE RESULTS OF  
10 THE CAPS CHECK, THE STATE DEPARTMENT SHALL INFORM THE COURT  
11 THAT SUCH APPEAL IS ACTIVE. THE STATE".
- 12 Page 11, line 11, after "MISTREATMENT." insert "THE STATE DEPARTMENT  
13 SHALL DISCLOSE TO THE COURT THE TIME FRAME BY WHICH AN APPEAL  
14 MAY BE INITIATED BY THE PERSON SUBSTANTIATED IN A CASE OF  
15 MISTREATMENT OF AN AT-RISK ADULT."
- 16 Page 11, line 13, after "TO" insert "A HEALTH OVERSIGHT AGENCY, AS  
17 DEFINED IN 42 CFR 164.501, WITHIN".
- 18 Page 11, line 14, after "REGULATOR" insert "WITHIN SUCH A HEALTH  
19 OVERSIGHT AGENCY".
- 20 Page 11, line 17, after "PROVIDE" insert "A HEALTH OVERSIGHT AGENCY,  
21 AS DEFINED IN 42 CFR 164.501, WITHIN".
- 22 Page 11, line 18, after "REGULATOR" insert "WITHIN SUCH A HEALTH  
23 OVERSIGHT AGENCY".
- 24 Page 11, strike line 27.
- 25 Page 12, strike lines 1 through 3 and substitute "THE STATE DEPARTMENT  
26 SHALL DISCLOSE TO A HEALTH OVERSIGHT AGENCY, AS DEFINED IN 42 CFR  
27 164.501, WITHIN THE DEPARTMENT OF REGULATORY AGENCIES, OR A  
28 REGULATOR WITHIN SUCH A HEALTH OVERSIGHT AGENCY, THAT THE  
29 PERSON SUBSTANTIATED IN A CASE OF MISTREATMENT OF AN AT-RISK  
30 ADULT HAS THE RIGHT TO INITIATE AN APPEAL OF THE SUBSTANTIATED  
31 FINDING WITHIN THE TIME FRAME SET FORTH IN STATE DEPARTMENT  
32 RULES."

1 Page 12, line 4, after "TO" insert "A HEALTH OVERSIGHT AGENCY, AS  
2 DEFINED IN 42 CFR 164.501, WITHIN".

3 Page 12, line 5, after "REGULATOR" insert "WITHIN SUCH A HEALTH  
4 OVERSIGHT AGENCY".

5 Page 12, line 12, strike "THE" and substitute "A HEALTH OVERSIGHT  
6 AGENCY, AS DEFINED IN 42 CFR 164.501, WITHIN THE".

7 Page 12, line 13, after "REGULATOR" insert "WITHIN SUCH A HEALTH  
8 OVERSIGHT AGENCY".

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