

**FINAL  
FISCAL NOTE**

**Drafting Number:** LLS 12-0793

**Date:** June 19, 2012

**Prime Sponsor(s):** Sen. Jahn  
Rep. Summers; DelGrosso

**Bill Status:** Deemed Lost  
**Fiscal Analyst:** Kirk Mlinek (303-866-4782)

**TITLE:** CONCERNING REPEAL OF THE REQUIREMENT THAT MENTAL HEALTH PROFESSIONALS MAKE CERTAIN DISCLOSURES VERBALLY.

### **Summary of Legislation**

The bill repeals the requirement that mental health professionals make statutorily-required disclosures verbally. This bill is effective upon the signature of the Governor, or upon becoming law without his signature.

The bill was deemed lost on May 9, 2012.

### **Background**

Current law requires that persons engaged as psychologists, social workers, professional counselors, marriage and family therapists, psychotherapists, and addiction counselors must meet certain licensing, certification, or registration requirements. These professionals are required to make certain disclosures, both verbally and in writing, during the initial contact with a patient. Disclosures must include:

- the practitioner's name, business address, and business phone number;
- an explanation of the differences between licensure, registration, and certification;
- a listing of degrees, credentials, certifications, and licenses held by the practitioner;
- a statement that indicates the practice of licensed or registered persons in the field of psychotherapy is regulated by the Division of Registrations in the Department of Regulatory Agencies;
- a statement that the client is entitled to receive information about the methods and duration of therapy, that the client may seek a second opinion, that the relationship is required to be professional, and that the information provided during therapy sessions is legally confidential; and
- that a registered psychotherapist is not licensed by the state.

If approved, Colorado statute will continue to require that these disclosures be made in writing. The verbal disclosure requirement has only been in effect since 2011.

**Assessment**

The bill does not affect the revenue or expenditures of any state agency and is, therefore, assessed as having no fiscal impact.

**Departments Contacted**

Health Care Policy and Financing  
Corrections

Human Services  
Law

Regulatory Agencies