

COLORADO REVISED STATUTES

Initial listing of statutes referencing or related to privacy issues, to be analyzed under HIPAA preemption provisions.

1. **6-18-103.** Privacy of health information.
2. **8-43-404.** Examinations by a physician or chiropractor for purposes of workers' compensation.
3. **8-43-501.** Utilization review related to workers' compensation.
4. **8-73-108.** Award of benefits for unemployment compensation benefits.
5. **10-3-1104.5.** HIV testing - declaration - definitions - requirements for testing and limitations on disclosure of test results.
6. **10-3-1104.7.** Genetic testing - declaration - definitions - limitations on disclosure of information - liability - legislative declaration.
7. **10-16-113.** Procedures related to the denial of health benefits by an insurer.
8. **10-16-113.5.** Use of independent external review when health benefits have been denied.
9. **10-16-423.** Confidentiality of health information.
10. **12-32-108.3.** Disciplinary actions against podiatrists.
11. **12-33-126.** Disciplinary actions against chiropractors.
12. **12-35-118.** Disciplinary actions against dentists and dental hygienists.
13. **12-36-118.** Disciplinary actions against physicians.
14. **12-36-135(1).** Reporting requirements for physicians pertaining to certain injuries.
15. **12-36.5-104.** Professional review committees for physicians.
16. **12-36.5-104.4.** Hospital professional review committees.
17. **12-37.5-104.** Reporting requirements by physicians related to abortions for minors.
18. **12-38-116.5.** Disciplinary proceedings against a practical nurse, a professional nurse, or a psychiatric technician.
19. **12-43-218.** Disclosure of confidential communications by a mental health professional.

20. **12-43-224(4).** Disciplinary proceedings against a mental health professional.
21. **13-21-110.** Confidentiality of information, data, reports, or records of a utilization review committee of a hospital or other health care facility.
22. **13-21-117.** Civil liability of a mental health professional, mental health hospital, community mental health center, or clinic related to a duty to warn or protect.
23. **13-22-101.** Competence of persons eighteen years of age or older.
24. **13-22-102.** Minors – consent for medical care and treatment for addition to or use of drugs.
25. **13-22-103.** Minors – consent for medical, dental, and related care.
26. **13-22-104.** Transplants and transfusions generally – declaration of policy – limit on liability of minors.
27. **13-22-105.** Minors – birth control services rendered by physicians.
28. **13-22-106.** Age of competence for certain medical procedures.
29. **13-64-502.** Civil liability related to genetic counseling and screening and prenatal care, or arising from or during the course of labor and delivery, or the period of postnatal care in a health institution.
30. **13-80-103.7.** Limited waiver of medical information in civil actions related to sexual assault or sexual against a child.
31. **13-90-107.** A physician, surgeon, or registered professional nurse may testify related to the care and treatment of a person.
32. **14-10-124.** The best interests of a child for the purposes of a separation or dissolution of marriage.
33. **14-10-127.** The allocation of parental responsibilities with respect to a child.
34. **15-14-506.** Medical durable power of attorney.
35. **15-18.5-103.** Proxy decision-makers for medical treatment authorized.
36. **17-27.1-101.** Non-governmental facilities for offenders and the waiver of confidential information.
37. **18-1-901.** Definitions.
38. **18-3-203(1)(f.5).** Assault in the second degree and the availability of medical testing for certain circumstances.
39. **18-4-412.** Theft of medical records or medical information - penalty.

40. **18-6-101.** Definitions. Justified medical termination of pregnancy.
41. **18-6-102.** Criminal Abortion.
42. **18-6-103.** Pretended Criminal Abortion.
43. **18-6-104.** Failure to comply.
44. **18-18-503.** Cooperative agreements to control substance abuse.
45. **19-3-304.** Persons required to report child abuse or neglect.
46. **19-3-305.** Required report of postmortem investigation.
47. **19-3-306.** Evidence of abuse - color photographs and X rays.
48. **19-3-307.** Reporting procedures.
49. **19-3-308.** Action upon report of intra-familial, institutional, or third-party abuse - child protection team.
50. **19-3-309.** Immunity from liability - persons reporting.
51. **19-5-103(2).** Relinquishment of rights concerning a child.
52. **19-5-305.** Access to adoption records.
53. **19-5-306.** Evidence of abuse or neglect of a child.
54. **22-1-123(5).** The protection of student data.
55. **22-32-109.1(6) and 22-32-109.3(2).** Specific powers and duties of the state board of education.
56. **22-64-216.** Confidentiality of records maintained by school district retirement plans.
57. **24-51-213.** Confidentiality of records maintained by the public employees' retirement association.
58. **24-72-204.** Public records not open to public inspection.
59. **25-1-120.** Nursing facilities - rights of patients.
60. **25-1-121.** Patient grievance mechanism and institution's obligations to the patient.
61. **25-1-122.** Named reporting of certain diseases and conditions - access to medical records - confidentiality of reports and records.

62. **25-1-122.5.** Confidentiality of genetic testing records - "Uniform Parentage Act."
63. **25-1-124(2).** Health care facilities and reporting requirements.
64. **25-1-309.** The treatment of intoxicated persons.
65. **25-1-312.** Records of alcoholics and intoxicated persons.
66. **25-1-801.** Patient records in custody of health care facility.
67. **25-1-802.** Patient records in custody of individual health care providers.
68. **25-1-1105.** Voluntary treatment for persons under the influence of drugs and persons incapacitated by drugs.
69. **25-1-1106.** Emergency commitment.
70. **25-1-1107.** Involuntary commitment of drug abusers.
71. **25-1-1108.** Records of drug abusers and persons under the influence of drugs.
72. **25-2-117.** Certified copies furnished – fee.
73. **25-2-120.** Reports of electro-convulsive treatment.
74. **25-3-109.** Quality management functions of health care facilities licensed by the department of public health and environment.
75. **25-3.5-501.** Records maintained by ambulance services and emergency medical technicians.
76. **25-3.5-704(2)(d) and (2)(f).** The designation of emergency medical facilities and the statewide trauma system.
77. **25-4-402(4).** Reporting of venereal diseases.
78. **25-4-1003.** Newborn screening programs and genetic counseling.
79. **25-4-1402.** Reports of HIV infection.
80. **25-4-1402.5.** Exemption from reporting.
81. **25-4-1403.** Reports of positive HIV tests.
82. **25-4-1404.** Use of reports.
83. **25-4-1405.** Disease control by the state department of public health and environment and local health departments.
84. **25-4-1405.5.** Extraordinary circumstances – procedures.

85. **25-4-1406.** Public Health procedures for persons with HIV infection.
86. **25-4-1407.** Emergency public health procedures.
87. **25-4-1409.** Penalties.
88. **25-4-1705.** Immunization information.
89. **25-4-1905.** Records collected related to Gulf War syndrome.
90. **25.5-2-104.** Release of medical information to a poison control service provider.
91. **26-3.1-102(2).** Reporting requirements related to at-risk adults.
92. **26-4-531.** Health Services – provisions by school districts.
93. **26-11.5-108.** The long-term ombudsman program and access to medical records.
94. **27-10-103(2).** Voluntary applications for mental health services.
95. **27-10-120(1.5) and 27-10-120.5.** Records related to mental health services for minor children.
96. **27-10.5-120.** Records and confidentiality of information pertaining to eligible persons or their families.
97. **30-10-606(6).** Postmortem investigations and records.
98. **35-9-109.** Confidentiality of information released to the commissioner of agriculture related to human exposure to pesticide applications.
99. **42-2-112.** Information supplied to the department of revenue for the purpose of renewing or obtaining a license to operate a motor vehicle.