

LLS No. 16-0439 _AMENDMENT #18
HOUSE SUNSET COMMITTEE AMENDMENT
Committee on Health, Insurance & Environment.
LLS No. 16-0439 be amended as follows:

1 Amend LLS No. 16-0439, page 8, after line 8 insert:

2 "SECTION 10. In Colorado Revised Statutes, 12-37-105, amend
3 (5) (a) (IV) as follows:

4 12-37-105. Prohibited acts - practice standards - informed
5 consent - emergency plan - risk assessment - referral - rules. (5) (a) A
6 direct-entry midwife shall keep appropriate records of midwifery-related
7 activity, including but not limited to the following:

8 (IV) (A) Until the liability insurance required pursuant to section
9 12-37-109 (3) is available, each direct-entry midwife shall, before
10 accepting a client for care, provide ~~such~~ THE client with a disclosure
11 statement indicating that the midwife does not have liability insurance.
12 ~~Such statement;~~ To comply with this section, ~~must be printed~~ THE
13 DIRECT-ENTRY MIDWIFE SHALL ENSURE THAT THE DISCLOSURE STATEMENT
14 IS PRINTED in at least twelve-point bold-faced type and shall ~~be~~ read THE
15 STATEMENT to the client in a language ~~she~~ THE CLIENT understands. Each
16 client shall sign the disclosure statement acknowledging that ~~she~~ THE
17 CLIENT understands the effect of its provisions. THE DIRECT-ENTRY
18 MIDWIFE SHALL ALSO SIGN THE DISCLOSURE STATEMENT AND PROVIDE a
19 copy of the signed disclosure statement ~~shall be given~~ to the client.

20 (B) IN ADDITION TO THE INFORMATION REQUIRED IN
21 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV), THE DIRECT-ENTRY
22 MIDWIFE SHALL INCLUDE THE FOLLOWING STATEMENT IN THE DISCLOSURE
23 STATEMENT AND SHALL DISPLAY THE STATEMENT PROMINENTLY AND
24 DELIVER THE STATEMENT ORALLY TO THE CLIENT BEFORE THE CLIENT
25 SIGNS THE DISCLOSURE STATEMENT: "SIGNING THIS DISCLOSURE
26 STATEMENT DOES NOT CONSTITUTE A WAIVER OF ANY RIGHT (INSERT
27 CLIENT'S NAME) HAS TO SEEK DAMAGES OR REDRESS FROM THE
28 UNDERSIGNED DIRECT-ENTRY MIDWIFE FOR ANY ACT OF NEGLIGENCE OR
29 ANY INJURY (INSERT CLIENT'S NAME) MAY SUSTAIN IN THE COURSE OF
30 CARE ADMINISTERED BY THE UNDERSIGNED DIRECT-ENTRY MIDWIFE.""

31 Renumber succeeding section accordingly.

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